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MASSACHUSETTS BOARD OF CONCILIATION AND ARBITRATION

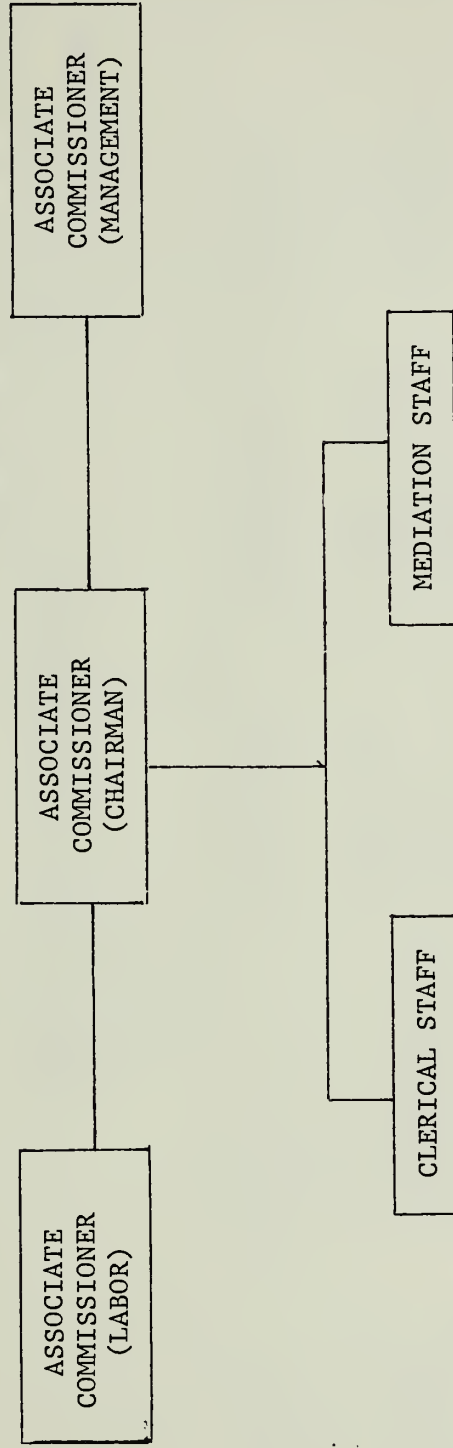
ANNUAL REPORT

1980

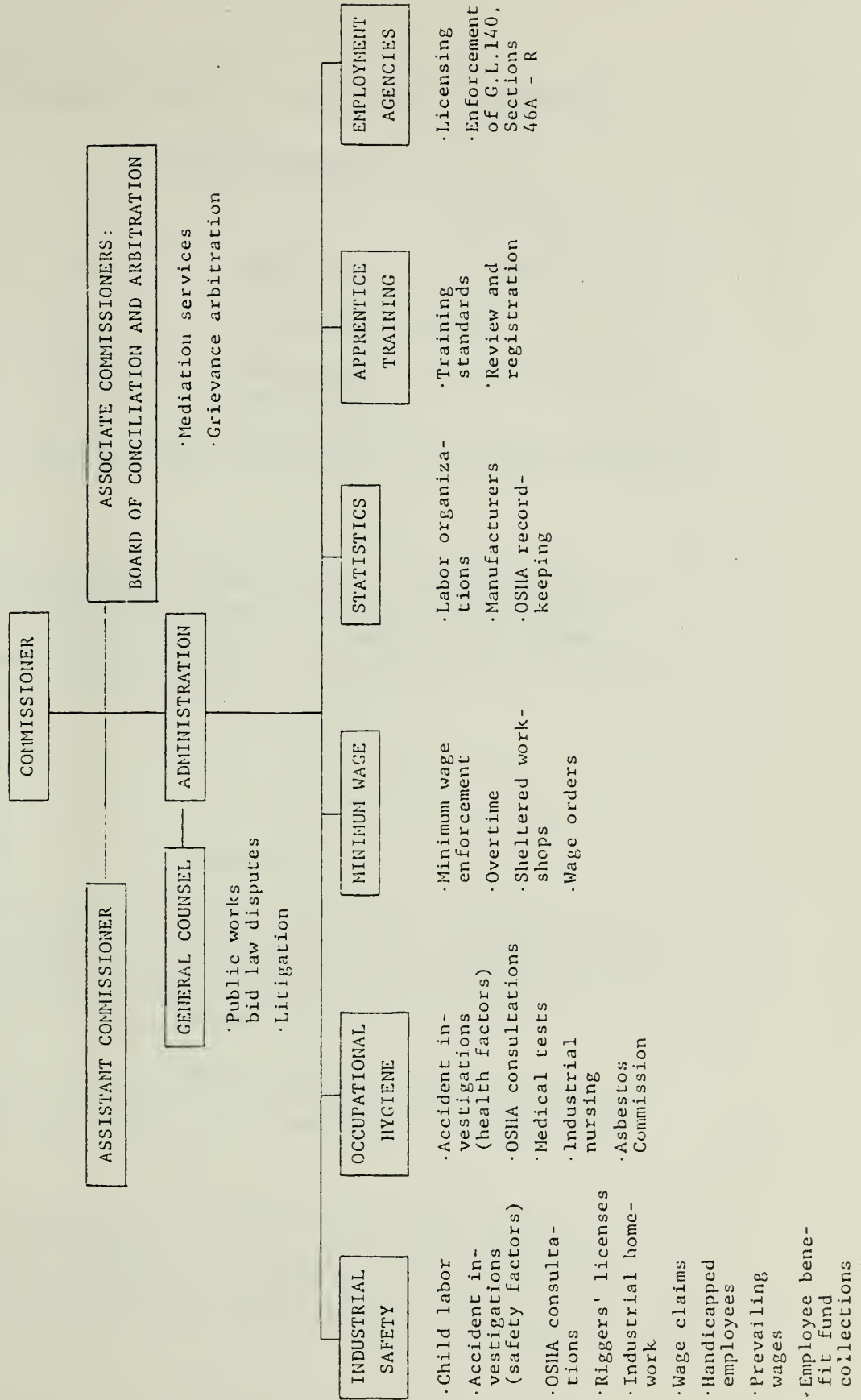
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MASSACHUSETTS BOARD OF CONCILIATION AND ARBITRATION

ORGANIZATIONAL CHART



MASSACHUSETTS DEPARTMENT OF LABOR AND INDUSTRIES



MASSACHUSETTS BOARD OF CONCILIATION AND ARBITRATION

STATUTORY REFERENCES

- M.G.L. Chapter 23: Department of Labor and Industries
- M.G.L. Chapter 149: Labor and Industries
- M.G.L. Chapter 150: Conciliation and Arbitration of Labor Disputes
- M.G.L. Chapter 150E: Labor Relations: Public Employees

Statutory Change: On May 14, 1980, Section 7 of Chapter 23 was amended by chapter 146 of the Acts of 1980 to allow the appointment of a non-member of the Board to act as a neutral member or as a single neutral arbitrator with the full power of the Board.

NARRATIVE

The function and purpose of the Board of Conciliation and Arbitration is to facilitate peaceful collective bargaining by providing mediation services and grievance arbitration in the public and private sectors, and factfinding procedures in the public sector.

The Board also has the authority to approve rules of the Department of Labor and Industries and to hear appeals from orders issued by the Commissioner of Labor and Industries.

The mediation and factfinding programs are designed to assist in the resolution of contract negotiation impasses. Fact-finding is limited to the public sector, while mediation includes both public and private sectors. The arbitration program is available for resolving both public and private disputes¹ arising during the life of a collective bargaining agreement.

1. During 1980 the Board received 119 private sector cases and 97 public sector cases.

Mediation services, which are available to the Commonwealth and all of its political subdivisions, as well as to private industry, are provided by a staff of twelve mediators.

The three Associate Commissioners hear most of the grievance arbitration cases. A small number of referral arbitrations and all factfinding are done by outside experts, designated and supervised by the Board.

During Fiscal 1980 the Associate Commissioners were Paul McCarthy (Chairman), John McKinnon (Labor), and John Connors (Management).

Mediators were Douglas Botts, Robert Browning, Angelo Collela, Walter Diehl, William Doherty, Phillip Dunn, George Fitzpatrick, Roberta Golick, Elliott Klitzman, James Leydon, John Mark, and Diane Zaar.

Clerical and administrative services were provided by Irene McGinn, Anne Doherty, and Stephanie Bassett.

A number of student interns provided research assistance.

REVENUES

Chapter 790 of the Acts of 1977 established a filing fee of \$100.00, of which \$50.00 shall be paid by each party, for all arbitrations between the parties during a twelve month period.

Pursuant to this statute, the sum of \$3700.00 was paid into the General Fund in Fiscal 1980.

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MEDIATION AND FACT FINDING

Case Dispositions as of June 30, 1980

Public Sector: Non-Police/Fire

Settled in mediation	79	
Still in mediation	101	
In fact finding	23	
Settled during fact finding	3	
Settled after fact finding	3	
Negotiated after fact finding	6	215

Police/Fire

Settled in mediation	5	
Still in mediation	15	
In fact finding	2	
Settled during fact finding	0	
Settled after fact finding	0	
Negotiated after fact finding	0	
Petitioned for final offer	0	
Sent to Joint Labor Management Committee	0	
		22

Private Sector

Cases received and settled	32
TOTAL	269

1980 DISPOSITION OF ARBITRATION CASES FILED THROUGH JUNE 30, 1980

Cases pending in 1980	Disposition as of June 30, 1980				
	Decided	Settled/ withdrawn	Referral Arbitration	Stipulated Award ¹	Other ² Carried into 1981
Filed in 1978: 10	2	3			5
Filed in 1979: 126	52	70	1	1	1
Filed in 1980: 216	67	85	5	4	50

1. "Stipulated Award": Agreement reached by the parties during a pre-hearing conference or after the hearing has begun. This is distinguished from those cases settled or withdrawn without Board participation. The category of "stipulated award" first appears in the records in 1980. Before 1980 these cases were recorded under "settled/withdrawn."

2. E.g., American Arbitration Association, Federal Mediation and Conciliation Service, Massachusetts Commission against Discrimination, private arbitrators.

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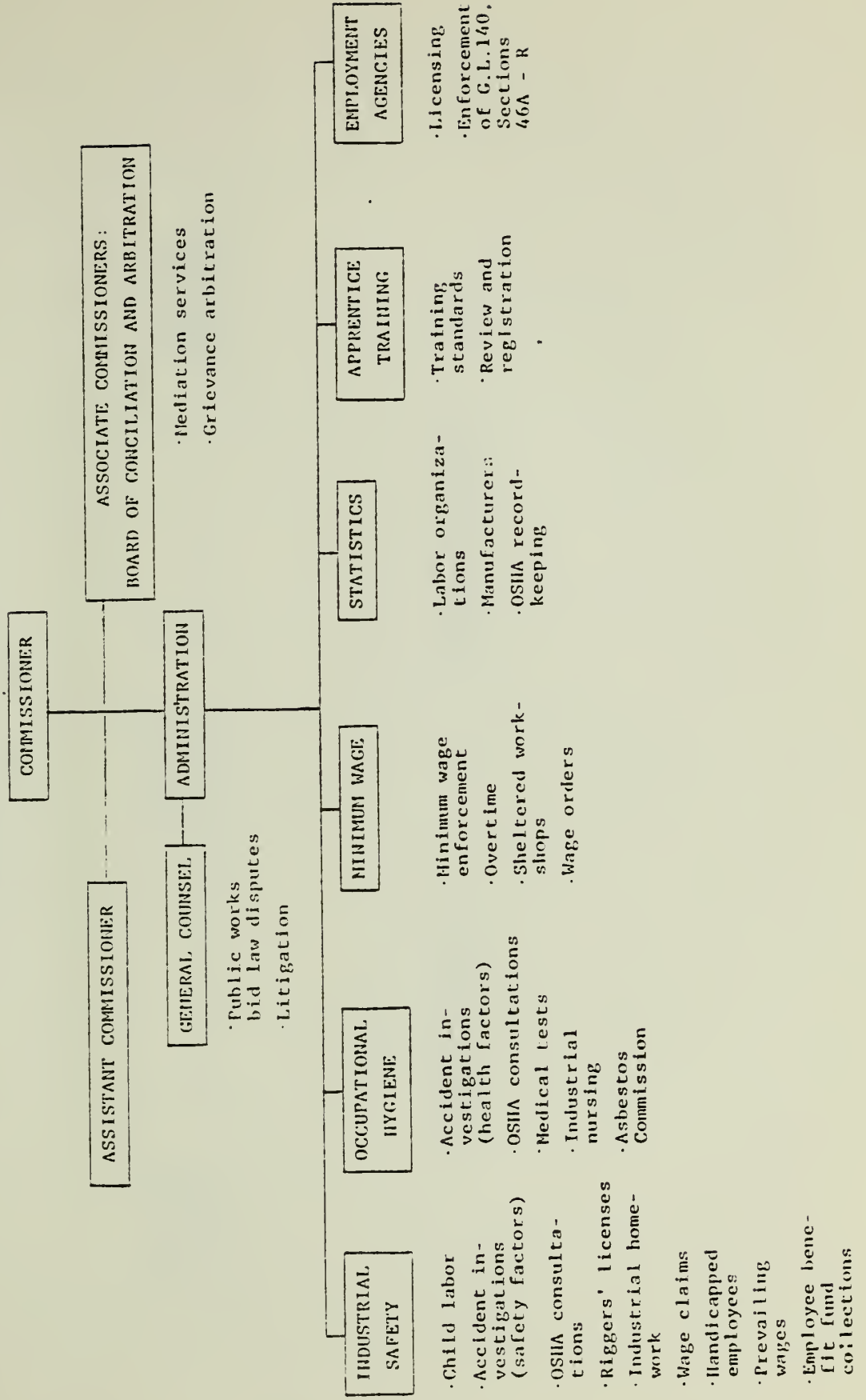
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MASSACHUSETTS BOARD OF CONCILIATION AND ARBITRATION

ANNUAL REPORT

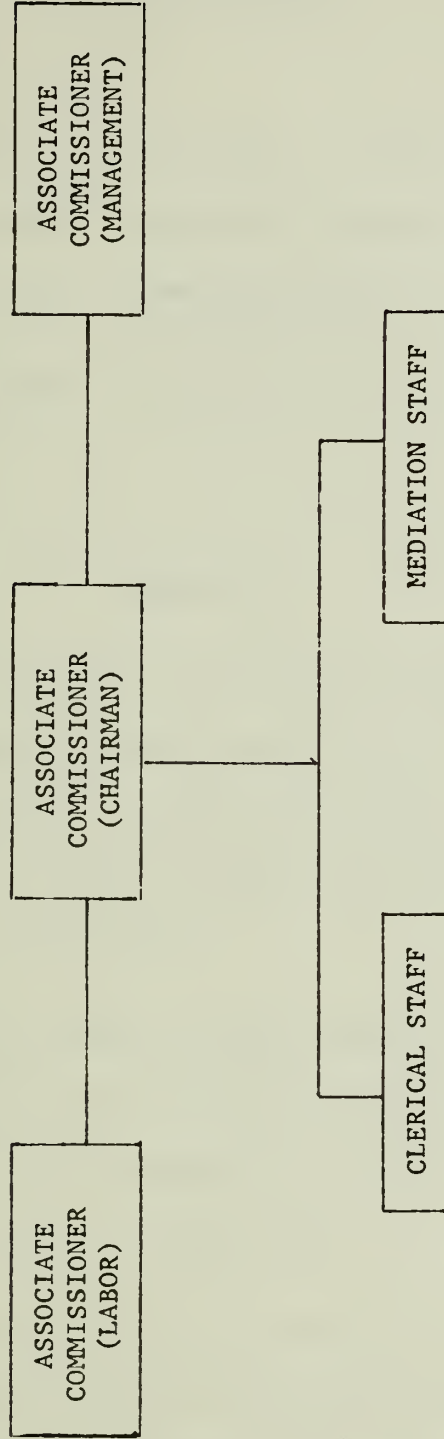
1981

MASSACHUSETTS DEPARTMENT OF LABOR AND INDUSTRIES



MASSACHUSETTS BOARD OF CONCILIATION AND ARBITRATION

ORGANIZATIONAL CHART



MASSACHUSETTS BOARD OF CONCILIATION AND ARBITRATION

STATUTORY REFERENCES

M.G.L. Chapter 23:	Department of Labor and Industries
M.G.L. Chapter 149:	Labor and Industries
M.G.L. Chapter 150:	Conciliation and Arbitration of Labor Disputes
M.G.L. Chapter 150E:	Labor Relations: Public Employees

NARRATIVE

The function and purpose of the Board of Conciliation and Arbitration is to facilitate peaceful collective bargaining by providing mediation services and grievance arbitration in the public and private sectors, and factfinding procedures in the public sector.

Through Fiscal Year 1981 the Board continued to have the authority to approve rules of the Department of Labor and Industries and to hear appeals from orders issued by the Commissioner of Labor and Industries.

The mediation and factfinding programs are designed to assist in the resolution of contract negotiation impasses. Fact-finding is limited to the public sector, while mediation in-

cludes both public and private sectors. The arbitration program is available for resolving both public and private disputes¹ arising during the life of a collective bargaining agreement. Mediation services, which are available to the Commonwealth and all of its political subdivisions, as well as to private industry, were provided by a staff of twelve mediators.

During Fiscal Year 1981 the three Associate Commissioners heard grievance arbitration cases. In May of 1980 Section 7 of Chapter 23 was amended by Chapter 146 of the Acts of 1980. This change increased the efficiency of the agency by allowing a non-monitor to hear cases. A small number of referral arbitrations and all factfinding are done by outside experts, designated and supervised by the Board.

During Fiscal 1981 Edward Sullivan replaced Paul McCarthy as Chairman, Richard Wood replaced John Connors as the Management Representative, and Donna Sirutis replaced John McKinnon as the Labor Representative.

Mediators were Douglas Botts, Richard Boulanger, Robert Browning, Angelo Colella, Walter Diehl, William Doherty, George Fitzpatrick, Roberta Golick, Elliot Klitzman, James Leydon, John Mark, and Diane Zaar.

1. During 1981 the Board received 112 private sector cases and 89 public sector cases.

Clerical and administrative services were provided by Irene McGinn, Stephanie Bassett, and Ruth Shy.

Sherrie Talmadge provided research assistance.

REVENUES

Chapter 790 of the Acts of 1977 established a filing fee of \$100.00, of which \$50.00 shall be paid by each party, not to exceed \$100 for all arbitrations between the parties during a twelve month period.

Pursuant to this statute, the sum of \$6,050.00 was paid into the General Fund in Fiscal 1981.

CASE DISPOSITIONS AS OF JUNE 30, 1981

Other than Police/Fire

Settled in mediation: 181

Still in mediation: 42

Still in factfinding: 8

Still in post-factfinding mediation: 2

Police/Fire

Open 3

Open 2

TOTAL CASES281

1981 DISPOSITION OF ARBITRATION CASES FILED THROUGH JUNE 30, 1981

Cases pending in 1981	Disposition as of June 30, 1981					
	Decided	Settled/ withdrawn	Referral Arbitration	Stipulated Award ¹	Other ²	Carried into 1982
Filed in 1978: 5	1	2	-	-	-	2
Filed in 1979: 1	-	1	-	-	-	-
Filed in 1980: 50	26	14	1	2	-	7
Filed in 1981: 202	44 ³	63	6	11	-	78
TOTAL DISPOSITIONS BY CATEGORY--1981	71	80	7	13	-	87

1. "Stipulated Award": Agreement reached by the parties during a pre-hearing conference or after the hearing has begun. This is distinguished from those cases settled or withdrawn without Board participation. The category of "stipulated award" first appears in the records in 1980. Before 1980 these cases were recorded under "settled/withdrawn."
2. E.g., American Arbitration Association, Federal Mediation and Conciliation Service, Massachusetts Commission against Discrimination, private arbitrators.
3. Includes one private sector dispute in conciliation which the parties submitted to the Board for an interest award (C 8-1981, Lowell Day Nursery).

MASSACHUSETTS BOARD OF CONCILIATION AND ARBITRATION

ANNUAL REPORT - 1982

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The Board is an independent quasi-judicial labor relations agency which provides professional neutral labor relations expertise through a variety of dispute resolution services which include grievance and interest arbitration and mediation, referral arbitration, and fact-finding.

MISSION OF THE BOARD

The Board's mission is to foster positive, productive, and mature relationships between unions and employers in the public and private sector.

State policy relative to the Board's mission is set forth in the Massachusetts General Laws, Chapter 23C, Section 1, which states:

It is hereby declared to be the public policy of this state that the best interests of the people of the state are served by the prevention or prompt settlement of labor disputes; and it shall be the responsibility and objective of the board of conciliation and arbitration to take such steps as will most effectively and expeditiously encourage the parties to a labor dispute to agree on the terms of a settlement or to agree on the method and procedure which shall be used to resolve a dispute.

The Board seeks to fulfill its mission by:

- (1) Promoting within the Commonwealth the development of sound and stable labor management relationships between unions and employers.
- (2) Developing the art and practice of labor dispute resolution in the Commonwealth.
- (3) Providing a highly professional quasi-judicial arbitration process for swift, fair, competent and impartial decisions for disputes arising out of labor management collective bargaining contracts and collective bargaining negotiations.

AUTHORIZATION

The Board of Conciliation and Arbitration receives its powers and duties from a number of Massachusetts general laws¹ and special acts², as well as from provisions in collective bargaining agreements between employers and unions.

Its jurisdiction involves three major labor relations areas:

- (1) Neutral assistance in the resolution of labor-management disputes arising out of negotiations leading to a collective bargaining contract.
- (2) Quasi-judicial arbitration involving the issuance of final and binding written decisions on disputes over the interpretation and/or application of the terms of existing collective bargaining contracts.
- (3) Labor relations policy-making through its advisory role to the executive and legislative branches, its power to promulgate rules and procedures for handling labor disputes, and its responsibility for advancing legislative proposals which relate to its statutory mandates.

ORGANIZATION

Established in 1886, the Board is the oldest labor relations agency of its type in the United States.

In 1981, as a result of legislative proposals developed by the Board, the Joint Labor Management Committee, and the Labor Relations Commission, significant changes were made in the State laws which affected both the Board and the other agencies. Previously a unit of the Department of Labor and Industries, under Chapter 23C of the Massachusetts General Laws, the Board became, for the first time since the beginning of this century, a separate, independent, neutral agency, temporarily located in the Office of Economic Affairs. Prior to the 1981 reforms, the Board was composed of three associate commissioners of the Department of Labor and Industries--one representing the labor community, one representing management, and a neutral chairman. This triparte arrangement greatly inhibited the ability of the Board to process the arbitration case load and resulted in case backlogs. In order to deal effectively with the arbitration caseload changes were made in the laws.

1. See M.G.L. c.23C, c.91 App. §24, c.150, 150C c.150E c.161A 19; c.214 s.6A;

2. Chapter 760 of the Acts of 1962, which is contained in the note to M.G.L. c.150A §4.

As a result of these changes the Board now consists of a chairman, who is appointed to a five-year term by the Governor. The chairman may appoint two other members, one a representative of labor and the other one a representative of employers, to serve on a case-by-case basis. He may also appoint an assistant chairman and such staff as the Board may need. Because it is now a more streamlined organization, the Board is able to process and hear cases more quickly, making its services more responsive to the needs of the parties and more economical for the Commonwealth. The Chairman now may appoint arbitrators to sit with the full power of the Board to hear and decide arbitration cases. This ability to delegate has had a tremendous positive impact on the ability of the Board to process arbitration cases swiftly.

During FY 1982, in addition to the chairman and the vice chairman, the permanent staff consisted of seven mediators, four mediator/arbitrators, a head administrative assistant, two hearings stenographers, various legal interns, three ad hoc arbitrators, and one research assistant.

SERVICES

The Board fulfills its mission by providing several services to the Massachusetts labor relations community.

1. Mediation and Fact-Finding

Through mediation and fact-finding the Board's staff of professional mediators assists public and private sector managements and unions to resolve disputes arising out of contract negotiations. It also attempts prehearing settlement of grievance arbitration cases pending before the Board. Another form of mediation was created by c.351 of the Acts of 1981, which amended Section 11 of c.150E to permit the Labor Relations Commission to refer certain unfair labor practice cases to the Board. During fiscal 1982 eight such cases were referred to the Board. Five of these were settled by the Board so that the parties were able to avoid litigating those disputes.

The mediation service is the highest program priority. There are several reasons for this. First, negotiation disputes have the greatest potential for disharmony and usually generate, relative to other types of disputes, the greatest number of negative consequences for management, union, employees, and society. Second, disputes involving one group of employees can often set off a ripple effect involving different employee groups working for the same employer or different employers. Third, mediation services are not readily available from private sector dispute settlement organizations such as the American Arbitration Association, and are expensive when available.

2. Arbitration

The Board's staff of professional arbitrators hears and decides labor relations disputes involving the interpretation and application of collective bargaining agreements. Cities and towns are among the heaviest users of the arbitration service; this service can reasonably be interpreted as a local aid service from the state. The alternative, private arbitration, involves substantially higher costs.

Private sector parties also rely on the arbitration service, in particular small companies and unions that have limited financial resources to devote to processing grievances. The Board's arbitration service insures that such parties are not denied access to the neutral hearing process merely because of financial constraints.

3. Education

The Board participates with other government agencies and private individuals and groups in developing and presenting educational programs for the labor relations community. Through these programs the Board seeks to educate labor and management groups about the advantages of developing mature, productive, and harmonious relationships between labor and management and to instruct the parties in the methods, techniques and art of resolving disputes and building positive working relationships.

Disposition of Case Load

In fiscal year 1982 the Board received 349 requests for mediation, of which 226 resulted in settlement.* (See Table I) During the same period, 213 requests for arbitration were filed. Of these, 128 were decided, settled, or withdrawn, one referred to an outside arbitrator, and eighty-four carried over to the following year. (See Table II)

* Unsettled mediation cases were carried forth to the next fiscal year and resolved during that time span.

TABLE I

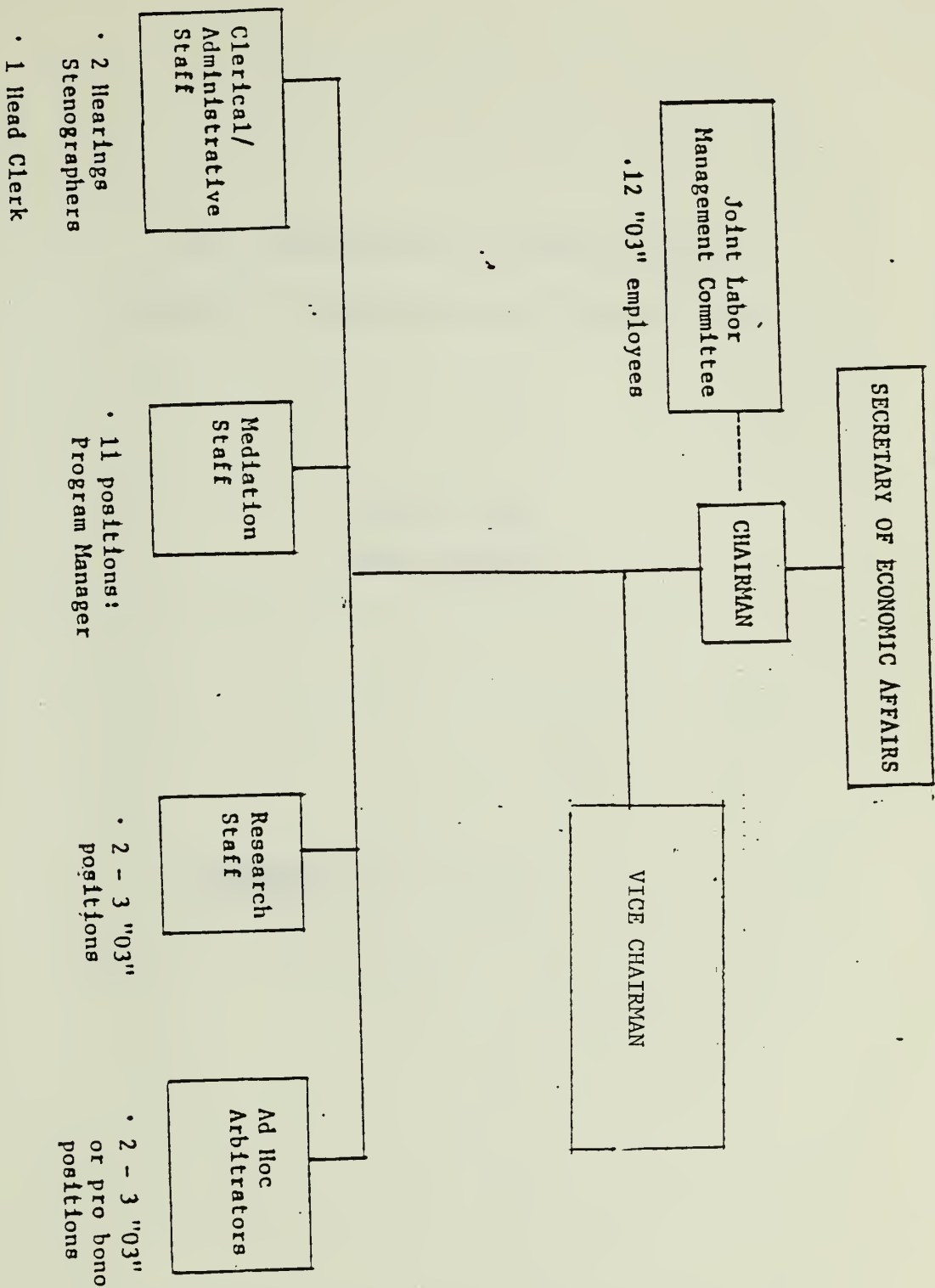
Mediation Cases Received in 1982.....	349
Case Dispositions as of June 30, 1982	
<u>Public Sector</u>	251
Settled.....	121
Settled in Mediation.....	117
Settled after assignment to factfinding.....	4
Open.....	114
Still in Mediation.....	106
Still in factfinding.....	7
Still in post-factfinding.....	0
Transferred to referral arbitration.....	1
Police/Fire.....	8
Settled.....	6
Open.....	2
Referral Cases (LRC).....	8
<u>Private Sector</u> (including grievance mediation).....	98
Settled.....	91
Open.....	7
TOTAL.....	349

TABLE II

1982 Disposition of Arbitration Cases Filed Through June 30, 1982

<u>Cases Pending in 1982</u>		<u>Disposition as of June 30, 1982</u>				
		<u>Decided</u>	<u>Settled/ Withdrawn</u>	<u>Referral Arbitration</u>	<u>Stipulated Award</u>	<u>Other</u>
Filed in 1978	2	--	1	--	--	--
Filed in 1979	0	--	--	--	--	--
Filed in 1980	5	--	--	--	--	--
Filed in 1981	18	39	18	--	1	2
Filed in 1982	213	45	79	1	4	0
Total Dispositions By Category--1982	298	84	98	1	5	2
						Carried Into 1983
						108
						84
						18
						5
						--
						1

MASSACHUSETTS BOARD OF CONCILIATION AND ARBITRATION



KEY:

THE COMMONWEALTH OF MASSACHUSETTS
BOARD OF CONCILIATION AND ARBITRATION

FISCAL 1983
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- II THE BOARD'S FUNCTIONS
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- IV LONG-RUN BENEFITS OF THE REORGANIZATION
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- V PLANS FOR 1984

BOARD OF CONCILIATION AND ARBITRATION: ANNUAL REPORT - FY 1983

I. The Board and Its Mission

The Board of Conciliation and Arbitration is an independent, quasi-judicial agency within the Executive Office of Labor, but not subject to the jurisdiction thereof. The policy behind the creation of the Board is expressed in Chapter 23C of the General Laws, the Board's enabling act:

It is hereby declared to be the public policy of this state that the best interests of the people of the state are served by the prevention or prompt settlement of labor disputes; and it shall be the responsibility and objective of the board of conciliation and arbitration to take such steps as will most effectively and expeditiously encourage the parties to a labor dispute to agree on the terms of a settlement or to agree on the method and procedure which shall be used to resolve a dispute.

Other specific responsibilities of the Board are set forth in the following state laws:

M.G.L. c. 91 App.	Board jurisdiction in labor relations at the Massachusetts Port Authority
M.G.L. c. 150	Board jurisdiction in labor disputes
M.G.L. c. 150C	Labor arbitration and standards of review for arbitration awards
M.G.L. c. 150E	Board jurisdiction in public sector collective bargaining
M.G.L. c. 161A	Board jurisdiction in labor relations at the Massachusetts Bay Transportation Authority
St. 1962, c.760	Board jurisdiction in labor relations at the Massachusetts Turnpike Authority; the Massachusetts Port Authority; the Massachusetts Parking Authority; and the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority

II. The Board's Functions

The Board fulfills its mission by providing several services to the Massachusetts labor relations community.

A. Interest Mediation

Through mediation the Board's staff of professional mediators assists public and private sector managements and unions to resolve disputes arising out of contract negotiations. The mediation service is the Board's highest program priority because negotiation disputes have greatest potential for causing disruptions in the workplace. In addition, disputes involving one group of employees can often set off a ripple effect involving different employee groups working for the same employer or even other employers. Because disruptions in the workplace can have substantial economic consequences for the employer and the community in which the employer is located, as well as for the union and employees, a speedy settlement is in the best interest of all concerned.

The Board's mediation service constitutes a form of local aid because cities and towns are the heaviest users of this service, which is provided at no charge to the parties in a labor dispute. There is sound policy behind this system. The state has economic and non-economic interests in the rapid resolution of labor disputes, and these interests ought not depend on the parties' ability to pay for the help of professional neutrals.

B. Grievance Mediation

As a matter of policy the Board now attempts prehearing settlement of all grievance arbitration cases pending before it. In implementing this policy the Board seeks to promote amicable relations which will make the parties' day-to-day relationship, as well as each succeeding round of bargaining, easier and more productive.

C. Mediation of Unfair Labor Practices

Chapter 351 of the Acts of 1981 amended Section 11 of C. 150E to permit the Labor Relations Commission to refer certain unfair labor practice cases to the Board. During fiscal year 1983 nine cases were referred to the Board, three of which were settled during 1983 with Board assistance, enabling the parties to avoid litigating those disputes. Only one was referred back to the Labor Relations Commission for adjudication. The balance continued in mediation after June 30, 1983.

D. Grievance Arbitration

Board arbitrators hear and decide labor relations disputes involving the interpretation and application of collective bargaining agreements. During 1983 eighty-one of the Board's arbitration cases came from the public sector and 129 came from the private sector. 62% of these cases were closed by June 30, 1983.

E. Education Programs for the Labor Relations Community

The Board participates with other government agencies and private individuals and groups in developing and presenting educational programs for the labor relations community. Through these programs the Board seeks to educate labor and management groups about the advantages of developing mature, productive, and harmonious relationships between labor and management and to instruct the parties in the methods, techniques and art of resolving disputes and building positive working relationships.

III. New Directions at the Board in 1983

The Board has made changes in the areas of professional staff development, the handling of grievance mediation, and its code of conduct.

A. Professional Staff Development

Because labor relations is a changing and complex field, the professional employees of the Board have been encouraged to participate in in-depth training in addition to the half-day and one-day programs that Board staff have customarily attended in the past. As a result, for the first time the Board has enrolled employees in management training programs under the direction of the Department of Personnel Administration. During Fiscal 1983 two mediators completed approximately 100 hours of management training in a program conducted by the Institute for Governmental Services at the University of Massachusetts. The Chairman and Vice Chairman completed the week-long, intensive Senior Executive Program at the John F. Kennedy School of Government at Harvard University.

B. Systemization of Grievance Mediation

In the past the Board has informally encouraged the parties coming before it to settle their differences voluntarily. This approach has been somewhat formalized during Fiscal 1983. Beginning late in the fourth quarter of this year, arbitrators were encouraged to begin each case with a pre-hearing conference, giving the parties an opportunity to explain their case off the record. This process seems to generate settlements in 40% to 50% of the cases.

The Board has developed another method for fostering voluntary settlements of grievances. Where our records show that certain bargaining units in either the public or the private sector are filing an unusual number of grievances, the Board offers mediation assistance several weeks in advance of the arbitration hearing dates assigned to the cases. Where the parties take advantage of this service, it appears to result in settlement over 90% of the time. Over the long term, it is expected that this process will prevent grievances from accumulating and will lay the foundation for sounder bargaining at the negotiating table.

C. Code of Conduct

During Fiscal 1983 the Board further strengthened the ethical standards of its staff. In addition to the prohibition against doing privately paid mediation and arbitration cases for parties located in Massachusetts, the Board has a prohibition against taking any form of remuneration from the parties to a Board case. Board employees are further prohibited from engaging in business which contracts with any of the parties that use the Board.

IV. Long-run Benefits of the Reorganization of the Board

In July 1981, the Board was established as an independent agency. This had the immediate effect of cutting personnel costs and enabling the Board to expedite its arbitration caseload, most notably by eliminating the permanent three-member-panel which sat on arbitration hearings.

Other, more subtle, benefits have become apparent as a result of the consolidation of management in the chairman. Prior to the reorganization managerial authority was diffused among the three associate commissioners, and the commissioner, and assistant commissioner of the Department of Labor and Industries. With reorganization the Board became autonomous and the chairman was given real as well as nominal authority to run the Board. Subsequent appointment of an assistant chairman has enhanced the Board's managerial efficacy.

The new structure has enabled the Board to pursue more effectively its statutory goals of prevention and prompt settlement of labor disputes. Mediation cases are now assigned within a few days of receipt of a petition and arbitration cases are scheduled within 30 to 60 days. Thirty days has become the standard for issuance of written, fully reasoned arbitration decisions. In pursuing these goals, the Board holds staff members to a strict code of conduct and promotes professional development.

Since becoming an independent agency, the Board has streamlined and strengthened its management structure and become a leaner, more efficient organization. There is also a greater sense of professionalism

and team effort among agency staff. Most important, the Board has been able to provide higher quality services to the labor relations community.

V. Plans for 1984

To fulfill more effectively its mission of promoting peaceful and productive labor-management relations, the Board will be expanding its grievance mediation service and its education programs. It will also seek to improve its own internal operations through the introduction of new office systems.

A. Grievance Mediation

Believing that the parties are best served when they are encouraged to resolve their own grievances, the Board will offer, whenever possible, the services of a staff mediator to all parties filing petitions for arbitration. The Board cannot guarantee the availability of this service in every case, because staff are not always available. However, because interest mediation tends to be seasonal, there is good reason to anticipate that grievance mediation services can be expanded significantly without exceeding authorized personnel levels.

B. Education and Outreach

The Board also plans to expand its public education and outreach programs. Staff members will speak to interested groups about developing sound labor-management practices and will describe the Board's services. They will also participate in workshops and short courses offered by other labor, management, and neutral organizations.

C. Office Automation

To help insure that staff time is utilized in an efficient and productive manner, the Board is planning implementation of a two-fold office automation program. One component of this program is a management information system which is expected to (a) distribute work more equitably

and (b) promote a better analytical understanding of the mediation process by developing a data base for studying the phenomenon. The second component is word-processing capability to permit faster decision-writing. It is expected that implementation of the office automation program will also facilitate the Board's ability to develop a sound records management program. Working in conjunction with the Records Conservation Board, the Board anticipates that, by the end of the fiscal year, it will have developed disposal schedules for all record series and will be ready to transfer to the archives those records determined to be of permanent value.

D. Staff Development

Finally, because an agency's ability to meet its responsibilities and fulfill its mission is directly related by the quality of its staff, during the coming year the Board will continue to encourage staff members to participate in professional meetings, conferences and workshops, to undertake formal study in subjects relevant to their work, and to contribute to the professional literature.

MASSACHUSETTS BOARD OF CONCILIATION AND ARBITRATION

June 30, 1983 Disposition of Mediation Cases Received by the Board during Fiscal 1983

Source of Case	Total	Settled in initial me- diation phase	Settled in mediation by factfinder	Settled after factfinder's report	Settled in further mediation	Returned to referring agency	Open
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PUBLIC SECTOR

M.G.L. c. 150E, § 9 (Direct petition)	237	135	13	1	--	Not applicable	88
M.G.L. c. 150E, § 11 (Lab. Rel. Comm. referral)	9	3	--	--	--	1	5
M.G.L. c. 150E, § 4A (JMC ref- erral)	5	4	--	--	--	--	1

PRIVATE SECTOR

M.G.L. c. 150 (Direct petition)	92	88	Not applicable	Not applicable	Not applicable	Not applicable	4
<u>ALL CASES</u>	343	230	13	1	--	1	98

THE COMMONWEALTH OF MASSACHUSETTS
BOARD OF CONCILIATION AND ARBITRATION

FISCAL 1984

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I. The Board and Its Mission

The Board of Conciliation and Arbitration is an independent, quasi-judicial agency within the Executive Office of Labor, but not subject to the jurisdiction thereof. The policy behind the creation of the Board is expressed in Chapter 23C of the General Laws, the Board's enabling act:

§ 1. Declaration of Policy

It is hereby declared the public policy of this state that the best interests of the people of the state are served by the prevention or prompt settlement of labor disputes; and it shall be the responsibility and objective of the Board of Conciliation and Arbitration to take such steps as will most effectively and expeditiously encourage the parties to a labor dispute to agree on the terms of a settlement or to agree on the method and procedure which shall be used to resolve a dispute.

It is recognized that a constructive and harmonious long-term collective bargaining relationship is the most positive way to avoid labor disputes, and such a relationship can be effectively developed in the public sector through the use of joint labor management committees.

The Board fulfills its mission by providing several services to the Massachusetts labor relations community. These services presently include: (1) interest mediation, mediation of issues arising out of contract negotiations; (2) grievance mediation, prehearing conciliation of grievance arbitration cases; (3) grievance arbitration, the final and binding hearing and decision of collective bargaining agreement disputes; (4) unfair labor practice mediation, mediation of cases referred by the State's Labor Relations Commission; and (5) educational outreach, participation in education programs in the state, regional and national labor relations community.

II. The Board's Functions and Activity Level

A. Interest Mediation

Through mediation, the Board's staff of professional mediators assist public and private sector managements and unions to resolve disputes arising out of contract negotiations. In public sector disputes, there is a second level of dispute resolution, fact-finding, which is administered by the Board. Groups availing themselves of the Board's mediation service include, among others; cities, towns, health care institutions, schools, cemeteries and their various employee units. The mediation service is the Board's highest program priority because negotiation disputes have greatest potential for causing disruptions in the workplace. In addition, disputes involving one group of employees can often set off a ripple effect involving different employee groups working for the same employer or even other employers. Because disruption in the workplace can have substantial economic consequences for the employer, the community in which the employer is located, the union and the employees, a speedy settlement is in the best interest of all concerned.

As public sector employers and employees are the heaviest users (87%) of the service, the Board's mediation service constitutes a form of local aid which is provided at no charge to the parties in a labor dispute. (See Public Employee bargaining legislation M.G.L. c. 150 E §9.) There is sound policy behind this system. The State has significant economic and non-economic interests in the rapid resolution of labor disputes and these interests ought not depend on the parties' ability to pay for the help of professional neutrals.

In FY 1984 the Board closed 221 interest mediation cases. Of these, 80 had been filed in FY 1983 and 141 filed in FY 1984. (See Table A for a list of cases and their disposition.) Settled at the first level of dispute resolution, mediation, were 192 (87%) of the cases. Settled in fact-finding were 17 (8%) of the cases. Settled after receipt of a fact-finder's report were 9 (4%) of the cases. Three cases (1%) in which the MBTA was the employer, went to interest arbitration upon expiration of the statutory mediation period.

A total of 223 interest mediation cases were filed in FY 1984; 141 of those were closed and 82 remained open at the end of FY 1984. There are several reasons for the number of open cases. Board mediators spend an average of 4.74 months working on a case. This creates a year-end carry-over of active but not yet closed cases. Also, many public sector contracts operate on the same fiscal year as the State and parties seek mediation at that time; 53 interest mediation cases were filed in May and June 1984. This means that approximately 1/4 of the total caseload was filed in the last 1/6 of the fiscal year.

B. Grievance Mediation

In the past, the Board has informally encouraged the parties coming before it to settle their differences voluntarily. At the close of FY 1984 the Board embarked on a plan to expand its use of grievance mediation. Grievance mediation is an informal, off-the-record process wherein the parties are free to disclose to the mediator the essence of the dispute. Thus, the mediator and the parties are able to design a tailored grievance settlement that may not be available in an arbitrator's award. Parties having participated in grievance mediation approve of the

win/win result as distinguished from the win/lose determination of an arbitrator's award. The resulting settlement typically avoids a detrimental precedent and encourages the development of an effective dispute resolution vehicle concerning labor relations conflicts in general.

Where the subject matter of a case filed for Board arbitration appears to lend itself to mediation, a staff member is assigned to offer assistance in settling the grievance before a hearing is held. Also, where records show that certain bargaining units are filing an unusual number of grievances, the Board offers on-site mediation several weeks in advance of the assigned arbitration hearing dates. Should grievance mediation prove unsuccessful, the case is heard as scheduled by another staff member. Grievance mediation is strictly confidential; the mediator does not discuss the case with the arbitrator. The Board also mediates grievances for parties who, if grievance mediation is not successful, would go to another forum for arbitration.

Over the long term, it is expected that this process will prevent grievances from accumulating and will lay the foundation for more sound bargaining at the negotiating table. The immediate results have been impressive; during 1984, the Board mediated 79 grievances, 53 (67%) of which were successfully settled.

C. Grievance Arbitration

Board arbitrators conduct quasi-judicial evidentiary hearings and take arguments in disputes involving the interpretation and application of collective bargaining agreements. The arbitrator then issues a written award and decision which is final and binding upon the parties.

The Board serves a diverse assemblage of employers including:

hospitals, fish packing companies, DPWs, police, fire departments, produce companies, manufacturers, cities, towns, trucking firms, school systems, and soft drink manufacturers to name a few. While the caseload total remained constant, FY 1984 saw a marked increase in the number of public sector cases filed. The number of cases filed involving a public sector employer was 57% in FY 1984; an increase from the FY 1983 level of 40% public sector cases. Discussions with public sector representatives indicate that parties are turning to the Board for two reasons: to combat the skyrocketing cost of private grievance arbitration, a strong factor in the wake of Proposition 2 1/2 constraints, and a perceived improvement in Board arbitration expertise.

During FY 1984, the Board closed 173 grievance arbitration cases. Of these, 65 cases had been filed in FY 1983 and 108 were filed in FY 1984. (See Table B for a list of cases and their disposition.) A hearing was held and decision written by a Board arbitrator in 76 (44%) of the cases. The issue was settled without resort to Board hearing and decision in 97 (56%) of the cases. Cases settle without a hearing in several ways: the filing party may question the strength of its position and unilaterally withdraw the case, the parties might meet informally and reach an accord, or the parties may meet with a Board mediator and settle the issue in grievance mediation. With the new Board emphasis on grievance mediation, an increasing number of arbitrations are successfully resolved in this last manner. (See Section B, Supra.)

A total of 194 grievance arbitration cases were filed in FY 1984; 108 were closed and 86 remained open. Of those 86 open cases, 15 were

heard in FY 1984 but decisions written in FY 1985, and 71 had not been heard as of June 30, 1984. It should be noted that of these 71 cases, 28 were filed during the last two months of FY 1984.

D. Mediation of Unfair Labor Practices

Chapter 351 of the Acts of 1981 amended Section 11 of C. 150E to permit the Labor Relations Commission to refer certain unfair labor practice cases to the Board for mediation.

Of the five cases referred to the Board in FY 1984, all were successfully mediated and the unfair labor practice charge withdrawn from the Labor Relations Commission.

E. Education Programs for the Labor Relations Community

The Board participates with other government agencies and private individuals and groups in developing and presenting educational programs for the labor relations community. Through these programs the Board seeks to educate labor and management groups about the advantages of developing mature, productive, and harmonious relationships between labor and management and to instruct the parties in the methods, techniques and art of resolving disputes and building positive working relationships.

During FY 1984, Board members took an active role in several forums. The board helped plan and execute a regional conference sponsored by the New England Consortium of State Labor Relations Agencies. The Chairman and one Mediator/Arbitrator spoke at a meeting of the Association of Labor Relations Agencies in New Brunswick. The Chairman and Vice-Chairman taught courses at the Labor Guild. The Chairman lectured

at the Massachusetts Bar Association public sector meeting as well as the Boston Bar Association public sector labor law day. The Chairman also spoke at the AFL-CIO convention. The Vice-Chairman addressed the Massachusetts Teachers Association leadership conference.

In addition, the Board has been represented by its staff at American Arbitration Association meetings, the NLRB regional conference and various labor organization and management group conventions.

III. Board Staff

FY 1984 was a time of change at the Board. The Chairman, Edward Sullivan resigned and Governor Dukakis appointed Board Mediator/ Arbitrator, Diane Zaar, as chairman. A new Vice-Chairman was appointed: James Snow, former legislative aide for the Commerce and Labor Committee of the Massachusetts House. Nancy Peace, formerly a faculty member at Simmons College and private arbitrator, joined the staff as a mediator/ arbitrator. Shortly after the close of FY 1984, two additional mediator/ arbitrators were appointed: Marsha Hunter, previously with the Federal Labor Relations Authority, and Michael Ryan, formerly a private arbitrator practicing in Maine. A new administrative assistant, Lynette Fields, also joined the staff.

<u>Chairman:</u>	Diane Zaar
<u>Vice-Chairman:</u>	James Snow
<u>Mediator/Arbitrators:</u>	Marsha Hunter
	Elliot Klitzman
	Nancy Peace
	Michael Ryan
<u>Mediators:</u>	Douglas Botts
	Walter Diehl
	William Doherty
	George Fitzpatrick
	James Leydon
	Jack Mark
<u>Administrative Assistant:</u>	Lynette Fields

TABLE A

ANALYSIS OF INTEREST MEDIATION

CASES CLOSED IN FISCAL YEAR 1984



ANALYSIS OF INTEREST MEDIATION

A-1

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDING REPORT
PS 48-1983	Waltham Schools Custodians		X	
PS 49-1983	Marlboro Schools Custodians			X
PS 83-1983	City of Newton AFSCME Foremen			X
PS 84-1983	City of Newton AFSCME School Traffic Super.			X
PS 92-1983	Beverly DPW		X	
PS 94-1983	Marlboro SEIU Foremen		X	
PS 95-1983	Marlboro Public Works		X	
PS 99-1983	Southwick Highway Water & Health AFSCME Clerks & Dispatchers	X		
PS 106-1983	Stoneham DPW, Non-Professional		X	
PS 119-1983	Wareham AFSCME Highway Dept. Ees	X		
PS 120-1983	Waltham AFSCME Public Works Ees			X
PS 121-1983	Worcester Clerks	X		
PS 122-1983	MBTA Building Trades			Arbitration, see M.G.L. c.161 §19D
PS 133-1983	Worcester City Hospital Nurses	X		
PS 136-1983	Beverly Schools AFSCME Custod/Clerks/Cafeteria	X		
PS 138-1983	King Philip Regional Schools AFSCME		X	
PS 140-1983	Seekonk AFSCME Highway Ees	X		



ANALYSIS OF INTEREST MEDIATION
CASES CLOSED IN FISCAL YEAR 1984

A-2

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDING REPORT
PS 141-1983	Seekonk Schools AFSCME Clerks	X		
PS 143-1983	Seekonk Schools AFSCME Aides	X		
PS 146-1983	Assabet Valley Reg. Voc. Schools Teachers	X		
PS 147-1983	Quincy Clerks/City Hall			X
PS 148-1983	Webster DPW SEIU	X		
PS 149-1983	MBTA Carmen's Union		Arbitration, see M.G.L. c. 161A §19D	
PS 156-1983	Hull AFSCME Clerks	X		
PS 159-1983	Ludlow Schools Secretaries		X	
PS 162-1983	Quincy Schools Teacher Aides	X		
PS 164-1983	Middleboro Schools Teachers/Specialists/Library			X
PS 165-1983	Nauset Regional Schools SEIU #254	X		
PS 166-1983	Arlington AFSCME #680	X		
PS 173-1983	Hunt Memorial Hospital Professionals	X		
PS 176-1983	Amherst - Pelham Schools Teachers		X	
PS 183-1983	Wilmington Schools Teachers	X		
PS 185-1983	Maynard Schools Secretaries	X		
PS 189-1983	Weston Schools AFSCME Custod. Trades	X		

ANALYSIS OF INTEREST MEDIATION

A-3

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDING REPORT
PS 190-1983	Winchester Schools Principals	X		
PS 191-1983	Amherst DPW	X		
PS 192-1983	Halifax AFSCME Dispatchers	X		
PS 193-1983	Walpole Schools AFSCME, School Clerks	X		
PS 194-1983	Rochester Schools Teachers	X		
PS 196-1983	Mashpee SEIU	X		
PS 198-1983	Avon AFSCME/Lib./Clerks/Custod.			X
PS 199-1983	Avon Schools Teachers, Dept. Heads	X		
PS 201-1983	Danvers Schools Teachers		X	
PS 204-1983	Franklin Co. Schools Teachers	X		
PS 206-1983	Scituate Schools Teachers, Professionals		X	
PS 207-1983	Granville Schools Teachers	X		
PS 208-1983	Nashoba Valley Tech. HS Teachers, Nurses	X		
PS 210-1983	Millis Schools Administrators	X		
PS 211-1983	Amesbury Schools Teachers, Dept. Heads	X		
PS 212-1983	Nashoba Valley HS Cafeteria Ees.	X		
PS 213-1983	Norwell Schools Teachers	X		



ANALYSIS OF INTEREST MEDIATION
CASES CLOSED IN FISCAL YEAR 1984

A-4

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDING REPORT
PS 214-1983	Plymouth Library	X		
PS 215-1983	Plymouth DPW	X		
PS 216-1983	Salem Schools Tutors	X		
PS 217-1983	Northboro - Southboro Reg. School Teachers	X		
PS 218-1983	Bay State Bus Corp. Drivers/Maintenance	X		
PS 219-1983	Weymouth SEIU/Clerks/Custod.	X		
PS 222-1983	Duxbury AFSCME Town Ees.	X		
PS 223-1983	Ayer DPW	X		
PS 225-1983	Martha's Vineyard Schools Teachers, Nurses	X		
PS 226-1983	Hale Hospital Mass. Nurses	X		
PS 227-1983	East Bridgewater Schools Teachers, Specialists, etc.	X		
PS 228-1983	Wellesley AFSCME Public Works	X		
PS 229-1983	Plymouth Carver Reg. School Administrators	X		
PS 230-1983	Attleboro Schools Teachers	X		
PS 231-1983	Franklin Schools Custodians	X		
PS 232-1983	North Attleboro DPW	X		
PS 233-1983	Wrentham Public Works	X		

ANALYSIS OF INTEREST MEDIATION

A-5

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDING REPORT
PS 234-1983	Belmont Schools Teachers	X		
PS 235-1983	Quabog Schools Teachers	X		
PS 236-1983	North Andover Schools Teachers	X		
PS 237-1983	Haverhill SEIU Maintenance	X		
PS 238-1983	Haverhill SEIU Nurses	X		
PS 239-1983	Taunton Schools Clerks, Aides	X		
PS 240-1983	Dartmouth Schools Teachers	X		
PS 241-1983	Ayer Schools Teachers	X		
PVT 41-1983	Lynn Hospital Mass. Nurses	X		
PVT 80-1983	Holyhood Cemetery Assoc. Firemen/Oilers/Maint. Powerhouse	X		
PVT 89-1983	Lynn Hospital Nurses	X		
PVT 92-1983	Wholesale Liquor Co. Teamsters	X		



ANALYSIS OF INTEREST MEDIATION
CASES CLOSED IN FISCAL YEAR 1984

A-6

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDING REPORT
PS 1-1984	Ayer Schools Teachers	X		
PS 2-1984	Worcester Hospital Local 285	X		
PS 3-1984	Plymouth Carver Schools Educational Association	X		
PS 4-1984	Great Barrington Waste Water & Highway	X		
PS 5-1984	Springfield Hospital AESCME	X		
PS 6-1984	Springfield Clerical & Technical	X		
PS 7-1984	Plymouth County Hospitals LPN's, Dietary	X		
PS 8-1984	Wellesley Supervisors	X		
PS 9-1984	Wellesley Clerical	X		
PS 10-1984	Billerica Schools Cafeteria	X		
PS 11-1984	Plymouth Carver Schools Secretaries	X		
PS 12-1984	Weymouth Schools Teachers, Counselors, Nurses	X		
PS 13-1984	Billerica Schools Clerical	X		
PS 14-1984	Westport Schools Teachers	X		
PS 15-1984	Sturbridge Schools Teachers		X	
PS 16-1984	South Middlesex Vocational Schools Maintenance, Custodian	X		
PS 17-1984	Waltham Traffic Supervisors	X		



ANALYSIS OF INTEREST MEDIATION
CASES CLOSED IN FISCAL YEAR 1984

A-7

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDING REPORT
PS 19-1984	Bedford Schools Professionals	X		
PS 20-1984	Weston Clerical	X		
PS 21-1984	Princeton Schools Teachers	X		
PS 22-1984	Holyoke Water AFSCME 1302	X		
PS 23-1984	Northshore Reg. Voc. Schools Education Association	X		
PS 24-1984	Milford Schools Teachers	X		
PS 25-1984	Hingham Schools Custodians, Bus Drivers	X		
PS 26-1984	Lynn Schools Counselors, Dept. Heads	X		
PS 27-1984	Norton Schools Teachers Association		X	
PS 28-1984	Hunt Memorial Hospital SEIU 285	X		
PS 29-1984	Pentucket Schools Nurses	X		
PS 30-1984	Methuen Schools Administrators	X		
PS 31-1984	Mansfield Public Works	X		
PS 32-1984	North Attleboro Clerical	X		
PS 34-1984	Leominster Schools Teachers	X		
PS 35-1984	Cape Cod Reg. Voc. Tech Teachers, Nurses	X		
PS 36-1984	Yarmouth NAGE, Non-Professionals	X		



CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDING REPORT
PS 37-1984	Yarmouth NAGE, Dept. Heads	X		
PS 38-1984	Somerset Maintenance	X		
PS 39-1984	Somerset Laborers	X		
PS 40-1984	Plymouth Clerical	X		
PS 41-1984	Walpole Clerical		X	
PS 42-1984	Merrimac DPW, Light	X		
PS 43-1984	Easthampton Schools Teachers			X
PS 44-1984	Barnstable County Correctional Officers	X		
PS 46-1984	Berlin-Boylston Reg. Schools Teachers, Specialists, Librarians	X		
PS 49-1984	Barnstable County Teamsters	X		
PS 50-1984	Barnstable County Hospital Nurses	X		
PS 51-1984	Norfolk County Hospital Administrators	X		
PS 53-1984	Worcester Vocational Schools Teachers, Counselors	X		
PS 54-1984	Quincy City Hospital Nurses	X		
PS 55-1984	Everett Schools Custodians	X		
PS 56-1984	Middlesex County Professional	X		
PS 57-1984	Freetown-Lakeville Reg. Schools Secretary, Aides	X		
PS 59-1984	Lynnfield Schools Custodians, Cafeteria	X		

ANALYSIS OF INTEREST MEDIATION
CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDING REPORT
PS 60-1984	Franklin Schools Custodians, Maintenance	X		
PS 61-1984	Beverly IAFF	X		
PS 62-1984	Medford DPW	X		
PS 63-1984	Southwick Schools Education Association		X	
PS 64-1984	Sandwich Schools Education Association	X		
PS 65-1984	Dudley Charlton Schools Teachers	X		
PS 66-1984	Westport Custodians	X		
PS 67-1984	Whittier Reg. Schools Teachers	X		
PS 68-1984	West Springfield DPW	X		
PS 69-1984	Hampden Schools Teachers	X		
PS 70-1984	East Longmeadow Schools Administrators	X		
PS 71-1984	Boston Graphic Arts		X	
PS 72-1984	MBTA Tech Engineers	Arbitration, see M.G.L. c. 161A §19D		
PS 73-1984	Westport Schools Administrators	X		
PS 74-1984	Wayland Schools Teachers	X		
PS 76-1984	Woburn Clerical	X		
PS 77-1984	Woburn Highway, Parks	X		
PS 78-1984	Cambridge Schools Custodians, Matrons	X		



CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDING REPORT
PS 79-1984	Brewster Supervisors	X		
PS 80-1984	Board of Regents of Higher Education Mass. Nurses	X		
PS 81-1984	Wayland Library	X		
PS 82-1984	Springfield Water Department	X		
PS 83-1984	Marblehead Schools Teacher Aides	X		
PS 84-1984	Hale Hospital Department Heads	X		
PS 85-1984	Hale Hospital Administrators	X		
PS 86-1984	Hale Hospital Technicians	X		
PS 87-1984	Hunt Hospital Registered Nurses	X		
PS 88-1984	West Bridgewater Clerical	X		
PS 89-1984	West Bridgewater Highway	X		
PS 90-1984	Mansfield Schools Custodians	X		
PS 91-1984	Lexington Schools Custodians	X		
PS 92-1984	Berkshire Cty. Sheriff Corrections Officers	X		
PS 93-1984	Dracut Schools Teachers	X		
PS 95-1984	Boston Non-Professional & Professional	X		
PS 98-1984	Worcester Schools Teachers	X		
PS 99-1984	Dracut Schools Teachers, Administrators	X		



CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDING REPORT
PS 100-1984	Northern Berkshire Schools Teachers			X
PS 101-1094	Bedford Schools Custodians, Maintenance	X		
PS 102-1984	Norfolk County Commissioner AFSCME	X		
PS 103-1984	Medford Traffic Supervisors	X		
PS 104-1984	Middlesex County Jail Correctional Officers	X		
PS 105-1984	Boston LPN's	X		
PS 106-1984	Boston Registered Nurses	X		
PS 107-1984	Boston Suffolk County	X		
PS 108-1984	Boston Clerical, Tech., Professionals	X		
PS 109-1984	Boston Public Health Nurses	X		
PS 110-1984	Hopkinton Highway, Water, Police		X	
PS 111-1984	Bedford Schools Cafeteria	X		
PS 112-1984	Plymouth Carver Schools Education Association		X	
PS 113-1984	Millbury Highway, Health, Sewer	X		
PS 114-1984	Millbury Clerks, Custodians	X		
PS 116-1984	Franklin Public Works	X		
PS 118-1984	Duxbury Secretaries, Clerks	X		



ANALYSIS OF INTEREST MEDIATION
CASES CLOSED IN FISCAL YEAR 1984

A-12

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDING REPORT
PS 120-1984	Framingham Secretaries, Clerks	X		
PS 121-1984	Ashland Schools Administrators	X		
PS 123-1984	Worcester Nurses	X		
PS 124-1984	Norfolk County Commissioners Maintenance, Technical	X		
PS 125-1984	Onset Water Department	X		
PS 126-1984	Cambridge Nurses	X		
PS 129-1984	Lee DPW	X		
PS 130-1984	Barnstable Teamster #59	X		
PS 132-1984	Westport Clerks	X		
PS 135-1984	Easton DPW	X		
PS 136-1984	Bristol County Corrections Correctional Officers	X		
PS 138-1984	King Philip Schools Teachers, Nurses	X		
PS 141-1984	Worcester Schools Mechanics	X		
PS 142-1984	Falmouth Professional & Non-Professional	X		
PS 143-1984	West Springfield Secretaries	X		
PS 146-1984	Tantasqua Regional Schools Teachers Association	X		



ANALYSIS OF INTEREST MEDIATION
CASES CLOSED IN FISCAL YEAR 1984

A-13

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDING REPORT
PS 152-1984	Dover Sherborn Regional Schools Teachers	X		
PS 153-1984	Swansea Schools Cafeteria	X		
PS 155-1984	Shrewsbury Schools Teachers	X		
PS 156-1984	University of Lowell Professional, Administrator	X		
PS 157-1984	Holland Schools Teachers	X		
PS 160-1984	Needham Schools Teachers	X		
PS 172-1984	Hanson Highway & Water	X		
PS 178-1984	Reading Schools Aides	X		
PS 190-1984	Stoneham Clerks	X		
PS 201-1984	Amesbury DPW	X		
PVT 2-1984	N.E. Telephone & Telegraph Clerical	X		
PVT 5-1984	Niles Corp. Communications	X		
PVT 8-1984	Eureka Blank Book Co. Graphics	X		
PVT 15-1984	WCVB-TV 5 Photog., Tech., Production	X		
PVT 17-1984	Page & Goodwin Printing Typographical	X		
PVT 18-1984	M & M Printing Typographical	X		



ANAYSIS OF INTEREST MEDIATION

A-14

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	SETTLED IN MEDIATION	SETTLED IN FACTFINDING	SETTLED AFTER FACTFINDER REPORT
PVT 21-1984	Dennison National Graphics	X		
PVT 22-1984	Dennison National Graphics	X		
PVT 30-1984	Boston Catholic Cemetery Firemen & Oilers	X		
PVT 31-1984	P & B Bus Co. Drivers	X		



TABLE B

ANALYSIS OF GRIEVANCE ARBITRATION

CASES CLOSED IN FISCAL YEAR 1984



ANALYSIS OF GRIEVANCE ARBITRATION

B-1

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	BOARD HEARING AND DECISION	SETTLED WITHOUT BOARD HEARING
A 7-1983	Management Resources Local 437	X	
A 22-1983	Management Resources Local 437		X
A 24-1983	Bridgewater Police	X	
A 45-1983	Westport AFSCME 93		X
A 46-1983	Braintree AFSCME	X	
A 73-1983	Westport Local 1666	X	
A 80-1983	Braintree AFSCME	X	
A 84-1983	Lowell Housing Authority Local 877	X	
A 85-1983	Greater Lawrence Reg. Schools Teachers	X	
A 94-1983	Braintree Local 466		X
A 98-1983	Hull AFSCME (DPW)		X
A103-1983	Kingston AFSCME	X	
A105-1983	Lowell Housing Authority Local 437	X	
A106-1983	Haverhill Local 437		X
A126-1983	Foss Manufacturing Local 437	X	
A127-1983	Haverhill Local 437	X	



ANALYSIS OF GRIEVANCE ARBITRATION

B-2

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	BOARD HEARING AND DECISION	SETTLED WITHOUT BOARD HEARING
A128-1983	Braintree U.W.U.A. 466		X
A129-1983	Braintree U.W.U.A. 466		X
A130-1983	Hull Local 344	X	
A133-1983	Foss Manufacturing Local 437	X	
A139-1983	Stride Rite Local 1445		X
A140-1983	Stride Rite Local 1445	X	
A141-1983	Woburn Firefighters	X	
A145-1983	Northeast Reg. Voc. Schools Teachers	X	
A149-1983	Haverhill Local 285	X	
A151-1983	Arlington Schools AFSCME	X	
A156-1983	Everett Schools Teachers	X	
A157-1983	Sportservice Corp. Local 1445	X	
A160-1983	Auburn Local 170	X	
A161-1983	Braintree U.W.U.A. 466	X	
A162-1983	Northampton Schools Teachers	- X	
A163-1983	Woburn I.B.F.O. 313	X	



ANALYSIS OF GRIEVANCE ARBITRATION

B-3

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	BOARD HEARING AND DECISION	SETTLED WITHOUT BOARD HEARING
A168-1983	Fall River Schools AFSCME	X	
A170-1983	Norwood Local 1631		X
A172-1983	Bucknell-Fuller Local 837	X	
A173-1983	Everett Schools Teachers		X
A174-1983	Everett Schools Teachers		X
A175-1983	Everett Schools Teachers		X
A178-1983	Union Labor Services Local 59		X
A179-1983	County of Essex Local 42		X
A180-1983	Bachman Co. Local 494		X
A181-1983	Caribou Fish Co. Seafood Workers		X
A182-1983	Turner Fisheries Seafood Workers		X
A183-1983	Bart Tribuna Fish Seafood Workers	X	
A184-1983	Vaughn Corp. Teamsters 437	X	
A186-1983	Hertz Corp. Teamsters 841	X	
A187-1983	Alden Corrugated Container Local 408		X
A183-1983	Alden Corrugated Container Local 408	X	
A190-1983	Mass. Wholesale Drug Local 1459		X



ANALYSIS OF GRIEVANCE ARBITRATION

B-4

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	BOARD HEARING AND DECISION	SETTLED WITHOUT BOARD HEARING
A192-1983	Star Container Corp. Local 170	X	
A193-1983	Haverhill Teamsters 437		X
A194-1983	Springfield Schools R1-164 NAGE	X	
A196-1983	Industrial Service Centers Local 379	X	
A197-1983	Alden Corrugated Container Local 408		X
A198-1983	Greater Lawrence Reg. HS AFT 1707	X	
A199-1983	Coca Cola Bottling Co. Teamsters 59	X	
A200-1983	Coca Cola Bottling Co. Teamsters 59		X
A201-1983	Worcester MTA		X
A203-1983	F.M. Byrnes Seafood #2	X	
A204-1983	F.M. Byrnes Seafood #2	X	
A205-1983	Globe Fish Co. Local 2		X
A206-1983	Spincraft Local 49		X
A207-1983	Columbia Manufacturing Bicycle Workers	X	
A208-1983	T.J. Busalacci Seafood Workers	X	
A209-1983	Seekonk IAFF		X



ANALYSIS OF GRIEVANCE ARBITRATION

B-5

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	BOARD HEARING AND DECISION	SETTLED WITHOUT BOARD HEARING
A 1-1984	Pope Machinery Local 527		X
A 2-1984	Vaughn Manufacturing Co. Local 437	X	
A 3-1984	Paragon Rubber Local 273		X
A 4-1984	County of Worcester Local 495 SEIU		X
A 5-1984	Haverhill (Hale) Local 285 SEIU		X
A 6-1984	Haverhill Local 285 SEIU		X
A 7-1984	Haverhill Local 285 SEIU		X
A 8-1984	Haverhill Local 285 SEIU		X
A 9-1984	Peter Poor Ambulance Teamsters 437		X
A10-1984	Merrimack Valley Area Transit Local 437	X	
A11-1984	F.M. Byrnes Co. Seafood Workers #2	X	
A12-1984	Merrimack Valley Area Transit Teamsters 437	X	
A13-1984	Costa Fruit and Produce Teamsters 25	X	
A14-1984	Bridgewater Police Association		X
A15-1984	West Springfield Schools Education Association	X	
A16-1984	Haverhill Local 437		X



ANALYSIS OF GRIEVANCE ARBITRATION

B-6

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	BOARD HEARING AND DECISION	SETTLED WITHOUT BOARD HEARING
A17-1984	Haverhill Local 437		X
A18-1984	Cummins North Atlantic Teamsters 841		X
A21-1984	Bridgewater Police Association		X
A22-1984	Paragon Rubber Corp. Local 273		X
A23-1984	Roy Brothers Local 49	X	
A25-1984	Foss Manufacturing Local 437	X	
A26-1984	Country Club Soda Local 404	X	
A27-1984	Foss Manufacturing Local 437	X	
A28-1984	Hudson Schools Teachers		X
A29-1984	Columbia Manufacturing Aerospace Workers	X	
A30-1984	Chicopee Housing Local 257	X	
A31-1984	Industrial Service Center Local 379	X	
A33-1984	Mass. Wholesale Drug Local 1459	X	
A34-1984	Alden Corrugated Container Teamsters 59		X
A35-1984	Coca Cola Bottling Local 59	X	
A36-1984	Maritime Terminal Local 59		X



ANALYSIS OF GRIEVANCE ARBITRATION

B-7

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	BOARD HEARING AND DECISION	SETTLED WITHOUT BOARD HEARING
A37-1984	Tufts University SEIU Local 254	X	
A38-1984	Costa Fruit & Produce Teamsters 25		X
A39-1984	Costa Fruit & Produce Teamsters 25	X	
A40-1984	Worcester County Hospital Local 495		X
A41-1984	Seaside Fish Co. Local #2	X	
A42-1984	Bridgewater Police Association		X
A43-1984	Orange Local 322		X
A44-1984	Essex Agricultural & Tech. Inst. Hawthorne Teachers	X	
A45-1984	Mal's Supermarket Local 592		X
A48-1984	Hertz Corp. Teamsters 841		X
A49-1984	Everett Schools Teachers		X
A50-1984	Everett Schools Teachers		X
A52-1984	Haverhill Teamsters 437		X
A53-1984	Foss Manufacturing Teamsters 437		X
A55-1984	KMD Corp. D/B/A Diamond Bakery Local 45		X
A56-1984	New Bedford AFSCME 93		X



ANALYSIS OF GRIEVANCE ARBITRATION

B-8

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	BOARD HEARING AND DECISION	SETTLED WITHOUT BOARD HEARING
A58-1984	Realty Operation & Service Corp. SEIU 254		X
A59-1984	Spencer - E. Brookfield Reg. Sch. SEIU 495	X	
A60-1984	Mass. Wholesale Drug Local 1459		X
A61-1984	Georgetown Sand & Gravel Local 437	X	
A62-1984	Coca Cola Bottling of Cape Cod Teamsters 59	X	
A63-1984	Coca Cola Bottling of Cape Cod Teamsters 59	X	
A64-1984	East Bridgewater NAGE		X
A65-1984	State Line Potato Chip Salesman's Association	X	
A66-1984	Hull Schools AFSCME (custodial)		X
A67-1984	Ayer DPW AFSCME Local 1703	X	
A68-1984	Frionor Kitchens Teamsters 59	X	
A69-1984	Paragon Rubber Corp. Local 273		X
A70-1984	Ayer DPW AFSCME Local 1703	X	
A71-1984	Ayer AFSCME Local 1703	X	
A72-1984	Norwell IAFF Local 2700	X	
A73-1984	Coca Cola Bottling Co. Teamsters 59		X



ANALYSIS OF GRIEVANCE ARBITRATION

B-9

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	BOARD HEARING AND DECISION	SETTLED WITHOUT BOARD HEARING
A74-1984	Rourke-Eno Paper Co. Teamsters 49		X
A75-1984	Vaughn Corp. Teamsters 437		X
A76-1984	Swansea AFSCME	X	
A77-1984	Somerville-Cambridge Elder Serv. Local 925		X
A79-1984	SCA Disposal Local 437	X	
A80-1984	Airways Transportation Teamsters 496	X	
A81-1984	Paragon Rubber Corp. Local 273	X	
A82-1984	Merrimack Valley Transportation Teamsters 437	X	
A83-1984	SCA Disposal Service Teamsters 437		X
A84-1984	SCA Disposal Service Teamsters 437		X
A85-1984	O.R. Cote Co. Teamsters 404		X
A86-1984	Dracut Local 2586 Firefighters	X	
A87-1984	West Boylston Teamsters 170		X
A88-1984	Haverhill IAFF Local 1011		X
A89-1984	Seaside Fish Co. Seafood Workers #2		X
A90-1984	Curran & Morton of Lowell Teamsters 49		X



ANALYSIS OF GRIEVANCE ARBITRATION

B-10

CASES CLOSED IN FISCAL YEAR 1984

CASE NO.	PARTIES	BOARD HEARING AND DECISION	SETTLED WITHOUT BOARD HEARING
A 92-1984	Bixby International Corp. ACTWU Shoe Div.		X
A 95-1984	Hathaway Oil Co. Teamsters 59		X
A 96-1984	Milbury Local 495		X
A 97-1984	Frionor Kitchens Teamsters 59		X
A 98-1984	Northeast Tool Eng. & Boilermakers 1570		X
A 99-1984	Coca Cola Co. Teamsters 59		X
A100-1984	Coca Cola Co. Teamsters 59		X
A101-1984	Costa Fruit & Produce Teamsters 59	X	
A104-1984	Aracon Inc. Teamsters 16		X
A105-1984	Danvers Schools Teachers Association		X
A107-1984	Mal's Supermarket AFL-CIO Local 592		X
A108-1984	Mal's Supermarket AFL-CIO Local 592		X
A109-1984	Mal's Supermarket AFL-CIO Local 592		X
A111-1984	Rourke-Eno Paper Co. Teamsters 49	X	
A112-1984	County of Essex Teamsters 42		X
A118-1984	Waltham AFL-CIO Police		X





**BOARD of
CONCILIATION and ARBITRATION**

GOVERNMENT DOCUMENT
COLLECTION

OCT 6 1986

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**NINETY-NINTH
ANNUAL REPORT**

JULY 1, 1984 — JUNE 30, 1985

Michael S. Dukakis
Governor

Diane Zaar Cochran
Chairman

THE COMMONWEALTH OF MASSACHUSETTS



Publication #14,454-28-150-5-22-86 C.R.
Approved by Daniel D. Carter, State Purchasing Agent



THE COMMONWEALTH OF MASSACHUSETTS
BOARD OF CONCILIATION AND ARBITRATION

NINETY-NINTH ANNUAL REPORT
JULY 1, 1984-JUNE 30, 1985

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I. The Board and Its Mission

The Board of Conciliation and Arbitration is about to celebrate the 100th anniversary of its establishment and is the oldest state labor arbitration agency in the country. It is an independent, quasi-judicial agency within the Executive Office of Labor, but not subject to its jurisdiction. The Board has made significant progress in the past year in serving the Commonwealth while holding fast to its mandate. Chapter 23C of the General Laws, the Board's enabling act, reads:

§ 1. Declaration of Policy

It is hereby declared the public policy of this state that the best interests of the people of the state are served by the prevention or prompt settlement of labor disputes: and it shall be the responsibility and objective of the Board of Conciliation and Arbitration to take such steps as will most effectively and expeditiously encourage the parties to a labor dispute to agree on the terms of a settlement or to agree on the method and procedure which shall be used to resolve a dispute.

The Board has fulfilled its mission by providing several services to the Massachusetts labor relations community. More than 1200 unions and/or employers applied for assistance during the past three years, involving thousands of employees and virtually every political subdivision in the state. These services presently include: (1) interest mediation, mediation of disputes arising out of contract negotiations; (2) preventive mediation, conciliation of potentially disruptive situations; (3) grievance mediation, prehearing conciliation of grievance arbitration cases; (4) grievance arbitration, the final and

binding hearing and decision on disputes arising under collective bargaining agreements; (5) unfair labor practice mediation, mediation of cases referred by the State's Labor Relations Commission; (6) community education, educational outreach through participation in state, regional and national labor relations education programs, Board sponsored programs for labor and management, and public speaking engagements before the general public.

II. Board Services

A. Interest Mediation

Through mediation, the Board's staff of professional mediators assist public and private sector managements and unions to resolve disputes arising out of contract negotiations. In public sector disputes there is a second level of resolution, fact-finding, which is administered by the Board as part of its duties under M.G.L. Chapter 150E, Section 9, of the state's collective bargaining law. Additionally, the Joint Labor-Management Committee, which oversees collective bargaining negotiations and impasses for police and firefighters, requested mediation from the Board for three cases. These contractual disputes were resolved by Board mediators.

The Board's interest mediation service is used extensively by the public sector in state government, county government, municipal government, health care institutions, schools, and

housing and transportation authorities. (See Appendix A) This service is the Board's highest program priority because contract negotiation disputes have the greatest potential for causing disruptions in the workplace. In addition, disputes involving one group of employees can often set off a ripple effect on different groups working for the same employer or even other employers. Because disruption in the workplace can have substantial economic consequences for the employer, the community in which the employer is located, the union, and the employees, a speedy settlement is in the best interest of all concerned.

As public sector employers and employees are the heaviest users of the service, the Board's mediation service constitutes a form of local aid which is provided at no charge to the parties in a labor dispute. There is sound policy behind this system. The State has significant economic and non-economic interests in the rapid resolution of labor disputes. These interests should not depend on the parties' ability to pay for the help of professional neutrals.

The Board also works in conjunction with the Federal Mediation and Conciliation Service in the private sector, intervening in disputes which would have a significant effect on the Massachusetts economy. Mediation has been successful in preventing or relieving disruption in banking, financial, communication, fishing and healthcare industries. Twelve major private sector cases were resolved with Board assistance in FY85.

The chart below indicates that the Board resolved 241 public sector contractual disputes in FY85. Of the 75 open petitions, 54 were filed in the last two months of the fiscal year and were resolved near the beginning of FY86, just as eighty-five FY84 disputes were resolved during FY85. Eighty-eight percent (213) of the total disputes resolved were settled in mediation, the first level of dispute resolution; 10% (24) were settled after the dispute was referred to the second level of dispute resolution, fact-finding; 1% (2) were settled after the fact-finder's report issued; and the remaining 1% (2) were MBTA disputes which proceeded to binding interest arbitration in accordance with the requirements of M.G.L.c.161 § 19D.

TOTAL DISPUTES RECEIVED IN FY85.....	231
FY85 SETTLED IN FY85.....	156
SETTLED IN MEDIATION.....	155
REFERRED TO ARBITRATION.....	1
FY85 OPEN IN FY86.....	75
IN FACT-FINDING.....	14
IN MEDIATION.....	58
REFERRED TO ARBITRATION.....	3
PETITIONS RECEIVED LAST 2 MONTHS OF FY85.....	54
FY84 SETTLED IN FY85.....	85
SETTLED IN MEDIATION.....	84
REFERRED TO ARBITRATION.....	1
FY84 OPEN IN FY86.....	1
IN MEDIATION.....	1
TOTAL DISPUTES RESOLVED IN FY85.....	241

B. Preventive Mediation

The Board's policy is to encourage parties coming before it to settle their differences voluntarily and informally. Most employers and unions prefer to avoid litigating non-contractual disputes. At the close of FY84, the Board instituted a plan to expand the use of mediation by concentrating on preventive mediation. In the course of their duties, mediators are frequently asked by parties to sit in on discussions of issues which might cause grievances to arise or which are not resolvable through the grievance procedure.

For instance, one of the Board's mediators has established a preventive mediation process at a New Bedford area food processing company. At the request of the company or union, the mediator will speak informally with employees who may be unhappy with some aspect of their work. Then the mediator will meet with company representatives and many times an adjustment will be made which eliminates the need for a formal grievance. Even though, on some occasions, resolution of the problem may not be possible, the establishment of lines of communication between employer and employees is in itself a lasting accomplishment.

At a national corporation, another Board mediator was able to intercept twenty grievances which were to be submitted to the Board for arbitration. All twenty cases were successfully resolved through preventive mediation, resulting in a savings of \$25,000 to \$30,000 each to the company and the union involved.

Since mediation is an informal and confidential process, parties may freely disclose the essence of their disputes. The

parties are able to agree on procedures or results tailored to their needs, even if their dispute has not been or could not be referred to arbitration. Through preventive mediation, detrimental precedents are avoided while the practice of effective dispute resolution is encouraged.

C. Grievance Mediation

Where the subject matter of a case filed for Board arbitration lends itself to mediation, a staff member is assigned to offer assistance in settling the grievance on the day of the hearing, before the case is heard. Also, where records show that certain bargaining units are filing an unusually large number of grievances, the Board offers on-site mediation several weeks before the scheduled hearing. Should mediation prove unsuccessful, the arbitration case is heard by a staff member other than the mediator. The mediator is constrained from discussing the case with the arbitrator or anyone else in the interest of confidentiality. The Board also mediates grievances for parties who, if grievance mediation is not successful, would go to another forum for arbitration.

Parties who have participated in mediation usually prefer the win/win outcome of the mediation settlement as distinguished from the win/lose determination of an arbitration award. This process has prevented grievances from accumulating and has served to lay the foundation for more mature bargaining at the negotiation table. The success of the process shows in the

settlement rate; during 1985 the Board mediated 132 grievances, 96, or seventy-three percent of which were mediated to settlement. In FY85, requests for grievance mediation were nearly double the requests received in FY84. The Board's current caseload indicates a continuing growth in popularity of this new service.

D. Grievance Arbitration

Board arbitrators conduct quasi-judicial evidentiary hearings and take arguments in disputes involving the interpretation of collective bargaining agreements. The arbitrator then issues a written decision containing an award which is final and binding upon the parties.

The Board serves a sizeable statewide constituency of management and union labor relations representatives for: hospitals, fish packing and produce companies, departments of public works, police departments, fire departments, manufacturers, municipalities, trucking firms and school systems, among many others. (See Appendix B) Public sector disputes continue to comprise about half of the grievance arbitration petitions received by the Board.

Grievances cited in petitions for Board arbitration were settled without reaching the hearing stage in 67% of the total disputes resolved in FY85. Disputes may settle without a hearing in several ways; parties may have second thoughts and unilaterally withdraw the petition, parties may meet informally and reach an accord, or parties may meet with a Board mediator

and settle the issue in grievance mediation. With the Board's new emphasis on grievance mediation, an increasing number of potential arbitrations are successfully resolved in this manner. (See Part C. Grievance Mediation)

The following chart shows that 176 grievances were resolved by the Board in FY85. Sixty-seven percent of this total were resolved through a mediated settlement, 33% by an arbitrator's decision. Of the 73 open FY85 arbitrations, 21% (15) were heard in FY85 with decisions written in FY86; 53% (39) had not reached their scheduled hearing date, and 26% (19) had yet not been scheduled for hearing by the end of June 1985. Thirty-two percent of the open arbitrations were filed during the last two months of FY85.

TOTAL ARBITRATIONS RECEIVED IN FY85.....	177
PUBLIC SECTOR.....	89
PRIVATE SECTOR.....	88
FY85 GRIEVANCES RESOLVED IN FY85.....	104
FY85 SETTLED IN FY85.....	81
FY85 DECISIONS IN FY85.....	23
FY84 GRIEVANCES RESOLVED IN FY85.....	72
FY84 SETTLED IN FY85.....	37
FY84 DECISIONS IN FY85.....	35
FY85 OPEN ARBITRATIONS.....	73
RECEIVED LAST 2 MONTHS FY85.....	22
FY84 OPEN ARBITRATIONS.....	3
TOTAL GRIEVANCES RESOLVED.....	176

E. Mediation of Unfair Labor Practices

Chapter 351 of the Acts of 1981 amended Section 11 of Chapter 150E of the General Laws, permitting the Labor Relations Commission to refer certain unfair labor practice cases to the Board for mediation prior to submission to the Commission's decision-making process.

Three cases were referred to the Board in FY85 and all were successfully mediated, resulting in the withdrawal of the unfair labor practice charges pending before the Labor Relations Commission.

F. Community Education

The Board participates with other government agencies and private individuals and groups in developing and presenting educational programs for the labor relations community. Through these programs, the Board seeks to educate labor and management groups about the advantages of developing mature, productive, and harmonious relationships between labor and management, and to instruct participants in the methods, techniques and art of resolving disputes and building positive working relationships.

During FY85, the Board staff took an active role in several forums. The Chairman, Diane Zaar Cochran, was a panel member at conferences for the Association of Labor Relations Agencies (ALRA), the Society of Professionals In Dispute Resolution (SPIDR), the Massachusetts Bar Association, and the Boston Bar Association. She was a speaker at an Massachusetts Teachers Association Leadership Conference, the National Academy of

Arbitrators, and at the State-Wide Uses of Mediation Conference held at the Massachusetts Institute of Technology. Ms. Cochran has guest lectured at Tufts University, U/Mass-Amherst, and at U/Mass-Boston. The Chairman also taught two courses on Arbitration at the Boston Labor Guild as part of the Board's educational outreach. Several other Board staff members also teach mediation, labor relations and arbitration at various educational intitutions throughout the state.

III. Board Staff

In FY85, the Board continued to experience extensive personnel changes. Much energy has been expended in careful hiring and in-depth training during the past two years. The result is a highly professional and competent staff. Stevens Day, previously Information Officer for the Labor Relations Commission, became a Board mediator. Marilyn Hilliard, a former paralegal, joined the staff as Research Assistant. Roseann Christo, who worked for the Commerce and Labor Committee of the State House of Representatives for ten years, was hired as a Confidential Secretary. Noelle Deas transferred from the Department of Communities and Development to the Board as a Head Clerk. Mediators Douglas Botts and William Doherty retired.

<u>Chairman:</u>	Diane Zaar Cochran
<u>Vice Chairman:</u>	James F. Snow
<u>Mediator/Arbitrators:</u>	Marsha Hunter Elliot Klitzman

	Nancy Peace Michael Ryan
<u>Mediators:</u>	Stevens Day Walter Diehl George Fitzpatrick James Leydon John Mark
<u>Research Assistant:</u>	Marilyn Hilliard
<u>Administrative Assistant:</u>	Lynette Fields
<u>Confidential Secretary:</u>	Roseann Christo
<u>Head Clerk:</u>	Noelle Deas

IV. Highlights of FY85

FY85 was punctuated by a number of significant developments, foremost of which was automation. Two IBM PC XT's were installed in the Board's offices--one in the summer of 1984, the other in the summer of 1985. After an initial training period, three years of case files and other Board records were transferred to the computer. As a result, a greater level of clerical efficiency was achieved through our new data processing capability and crucial information handling and retrieval have have improved substantially.

James F. Snow, the Vice Chairman, assisted the Chairman in the introduction of a mediator confidentiality bill to the legislature.¹ The purpose of the bill, which will amend

1. The bill, Chapter 357 of the Acts of 1985, was signed into law on September 23, 1985.

sections of M.G.L., Chapters 150 and 150E, is to help ensure that parties have complete confidence in the confidentiality of their relations with the Board similar to the attorney/client privilege, giving mediators freedom to encourage parties to thoroughly air their disputes.

Diane Zaar Cochran, the Board's Chairman, was very active in the Association of Labor Relations Agencies (ALRA). She served as Chair of the Editorial Committee, publishing three years of ALRA Annual Conference Proceedings. At ALRA's 35th Annual Conference, Ms. Cochran moderated a panel on "Job Security in the Auto Industry" and she was elected to serve as a member of that national organization's Executive Board.

A. Strike Resolution Highlights

Michael Ryan, a Board Mediator/Arbitrator, was called into the city of Chelsea in March to mediate a dispute between the School Committee and the Teachers' Union. The parties had already had 30 negotiation sessions over a nine month period after the expiration of their previous contact. No progress had been made because the teachers were deeply committed to raising their salaries (among the lowest in the state) and the School Committee was operating within one of the poorest communities in the Commonwealth. Although mediation was progressing, the 275-member union commenced a strike in May, forcing the closing of schools and resulting in litigation before the Labor Relations Commission and in Superior Court. Mediation intensified through marathon sessions at the Board's

offices, culminating in the resolution of the strike and the contract dispute.

James Leydon, Mediator, was involved in this state's first bank strike. Unionized employees of Ludlow Savings Bank instituted a strike which lasted over thirty days. The Board's mediator and a Federal mediator carefully assisted in bringing the strike to an end and resolving the differences that had led to the dispute.

In January, Nancy E. Peace, Mediator/Arbitrator, began mediating a dispute between the Quincy School Committee and the Quincy Education Association. The diversity of the union's membership and jurisdiction created significant obstacles to settlement.

The mediator met with the parties frequently over a four month period during which many issues were resolved. But, the teachers' frustration over working for nine months without a contract led them to walk out the day before spring vacation began.

The Labor Relations Commission ordered the parties to resume mediation during the vacation period and settlement was reached during a marathon session at the Board's offices Sunday, April 21, 1985, the day before school was to reopen.

EMPLOYER	1985 ARBITRATION ANALYSIS UNION	DS**
ABINGTON	ABINGTON DPW	O
AGAWAM FIRE DEPT.	IAFF	S
ALDEN CORRUGATED CONTAINER CORP.	UPIU	O
AMERICAN FLEXIBLE CONDUIT CO.	TEAMSTERS	S
AMERICAN FLEXIBLE CONDUIT CO.	TEAMSTERS	S
AMERICAN FLEXIBLE CONDUIT CO.	TEAMSTERS	D
AMESBURY	IAFF	S
AUBURN	TEAMSTERS	O
AUBURN	TEAMSTERS	O
AYER	IBPO	S
BARWOOD MANUFACTURING CO.	IBEW	S
BARWOOD MANUFACTURING CO.	IBEW	S
BELMONT	IAFF	D
BICKNELL-FULLER CORRUGATED CONTAINER	UPIU	D
BILLERICA	IAFF	S
BOSTON	AFSCME	S
BOSTON HOUSING AUTHORITY	TEAMSTERS	O
BRAINTREE	AFSCME	S
BRAINTREE	AFSCME	S
BRAINTREE	IBPO	O
BRAINTREE	AFSCME	O
BRIDGE TERMINAL INC.	TEAMSTERS	S
CANTEEN CO.	TEAMSTERS	S
CHICOPEE HOUSING AUTHORITY	PAT	D
CHILD WORLD, INC.	ALLIED NOVELTY & PRODUCTION WORKERS	S
CHILD WORLD, INC.	ALLIED NOVELTY & PRODUCTION WORKERS	S
COCA COLA BOTTLING CO.	TEAMSTERS	O
COCA COLA BOTTLING CO.	TEAMSTERS	S
COLUMBIA MANUFACTURING CO., INC.	MAW	S
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	O
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	O
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	S
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	O
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	S
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	O
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	S
COUNCIL OF ELDERS, INC.	TEAMSTERS	O
CRAY-BURKE CO., INC.	TEAMSTERS	O
CRAY-BURKE CO., INC.	TEAMSTERS	S
DANNON CO., INC.	TEAMSTERS	D
DANNON CO., INC.	TEAMSTERS	O
DANNON CO., INC.	TEAMSTERS	S
DANVERS SCHOOL COMMITTEE	MTA	O
DIGHTON	AFSCME	S
DRACUT	IAFF	D
DRACUT	IBPO	D
EAST BRIDGEWATER SCHOOL COMMITTEE	MTA	O
ESSEX COUNTY SHERIFF'S DEPT.	AFSCME	S
ESSEX COUNTY	AFSCME	O
ESSEX COUNTY SHERIFF'S DEPT.	AFSCME	S

** DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

EMPLOYER	1985 ARBITRATION ANALYSIS UNION	DS**
ESSEX COUNTY SHERIFF'S DEPT.	AFSCME	O
ESSEX COUNTY SHERIFF'S DEPT.	AFSCME	O
ESSEX COUNTY SHERIFF'S DEPT.	AFSCME	O
ESSEX COUNTY SHERIFF'S DEPT.	AFSCME	O
EVERETT SCHOOL COMMITTEE	MTA	S
EVERETT SCHOOL COMMITTEE	MTA	O
EVERETT SCHOOL COMMITTEE	MTA	O
FALL RIVER HOUSING AUTHORITY	AFSCME	O
FALMOUTH HOUSING AUTHORITY	AFSCME	O
FOREST HILLS CEMETERY	OCAW	O
FOREST HILLS CEMETERY	OCAW	O
FOSS MANUFACTURING CO.	TEAMSTERS	S
FOSS MANUFACTURING	TEAMSTERS	O
FOSS MANUFACTURING	TEAMSTERS	S
FREETOWN	FULL-TIME FIGHTERS ASSN.	S
FRIONOR KITCHENS, INC.	TEAMSTERS	S
FRIONOR KITCHENS, INC.	TEAMSTERS	S
FRITO-LAY, INC.	TEAMSTERS	S
FRITO-LAY, INC.	TEAMSTERS	S
FRITO-LAY, INC.	TEAMSTERS	O
FRITO-LAY, INC.	TEAMSTERS	O
GLOBE FISH CO.	SEAFOOD WORKERS	O
GLOBE FISH CO.	SEAFOOD WORKERS	O
GLOBE FISH CO.	SEAFOOD WORKERS	O
GREATER LOWELL VOC.TECH.SCHOOL COM.	HOTEL, RESTAURANT & BARTENDERS	O
HALE HOSPITAL	SEIU	S
HALE HOSPITAL	SEIU	S
HALE HOSPITAL	SEIU	S
HALE HOSPITAL	TEAMSTERS	S
HALE HOSPITAL	SEIU	O
HALE HOSPITAL	TEAMSTERS	O
HALE HOSPITAL	SEIU	O
HATHAWAY OIL CO.	TEAMSTERS	O
HAVERHILL	TEAMSTERS	S
HAVERHILL	SEIU	S
HAVERHILL	TEAMSTERS	S
HAVERHILL	TEAMSTERS	S
HERTZ CORP.	TEAMSTERS	S
HERTZ CORP.	TEAMSTERS	S
HERTZ TRANSPORTATION CO.	TEAMSTERS	S
HULL	IAFF	D
J. W. DOUGLASS CORP.	TEAMSTERS	S
JAMES RIVER CORP.	IUE	S
L & S INDUSTRIES	TEAMSTERS	D
LAWRENCE READY MIXED CONCRETE	TEAMSTERS	D
MASS CRINC	TEAMSTERS	O
MEDFORD	AFSCME	S
MEDFORD	MEDFORD MUNICIPAL CLERICAL WORKERS	O
MERCHANTS TIRE CO.	TEAMSTERS	D
MERCHANTS TIRE CO.	TEAMSTERS	O
MERCHANTS TIRE CO.	TEAMSTERS	O

** DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

1985 ARBITRATION ANALYSIS

EMPLOYER	UNION	DS**
MERRIMACK VALLEY AREA TRANS. CO.	TEAMSTERS	S
MERRIMACK VALLEY AREA TRANS. CO.	TEAMSTERS	D
MERRIMACK VALLEY AREA TRANS. CO.	TEAMSTERS	S
MILLBURY	MCOP	S
MILLBURY	SEIU	D
MORANE LABOR LEASING CO.	TEAMSTERS	D
MORANE LABOR LEASING CO.	TEAMSTERS	O
MORANE LABOR LEASING CO.	TEAMSTERS	O
MORANE LABOR LEASING CO.	TEAMSTERS	O
MORANE LABOR LEASING CO.	TEAMSTERS	O
NATIONAL CAR RENTAL SYSTEMS, INC.	TEAMSTERS	D
NATIONAL CAR RENTAL SYSTEMS, INC.	TEAMSTERS	O
NEWBURYPORT WASTE-WATER TREATMENT	AFSCME	S
NORTHEAST METRO.REG.VOC.SCHOOL COM.	MTA	O
NORTHEAST METRO.REG.VOC.SCHOOL COM.	MTA	O
NORTHERN BERKSHIRE REG.VOC.SCH.COM.	MTA	S
ORANGE	IAFF	O
OTIS SCHOOL COMMITTEE	MTA	D
PACKARD PAPER BOX CO.	UPIU	O
PARAGON RUBBER CORP.	IUE	S
PARAGON RUBBER CORP.	IUE	S
PARAGON RUBBER CORP.	IUE	S
PARKS CORP.	TEAMSTERS	D
PEMBROKE	IBPO	O
PLAINVILLE	FIREFIGHTERS ASSN.	S
PLYMOUTH COUNTY CORRECTIONS	IBCO	D
PLYMOUTH COUNTY SHERIFF'S DEPT.	IBCO	O
PLYMOUTH COUNTY CORRECTIONS	IBCO	S
PLYMOUTH COUNTY SHERIFF'S DEPT.	IBCO	O
PLYMOUTH COUNTY CORRECTIONS	IBCO	S
PLYMOUTH COUNTY CORRECTIONS	TEAMSTERS	S
PLYMOUTH COUNTY CORRECTIONS	IBCO	O
REICHOLD CHEMICALS INC.	OCAW	O
REVERE	AFSCME	D
REVERE	AFSCME	D
SALEM JAIL	TEAMSTERS	O
SCA-EASTERN DISPOSAL	TEAMSTERS	S
SCA-EASTERN DISPOSAL	TEAMSTERS	S
SCA-EASTERN DISPOSAL	TEAMSTERS	S
SCA-EASTERN DISPOSAL	TEAMSTERS	S
SCA-EASTERN DISPOSAL	TEAMSTERS	S
SCA-EASTERN DISPOSAL	TEAMSTERS	S
SCA-EASTERN DISPOSAL	TEAMSTERS	S
SCA-GSX	TEAMSTERS	O
SCA-GSX	TEAMSTERS	O
SCA-GSX	TEAMSTERS	O
SEEKONK	AFSCME	S
SEEKONK	IAFF	S
SERTA OF N. E., INC.	UIU	O
SPENCER	SEIU	O
SPENCER/E. BROOKFIELD REG. SCHOOL	SEIU	O

** DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

1985 ARBITRATION ANALYSIS

EMPLOYER	UNION	DS**
SPRINGFIELD	IBPO	S
STANDARD LINEN SERVICE, INC.	LAUNDRY & DRY CLEANING	O
STATE LINE POTATO CHIP CO.	POTATO CHIP SALESMEN	D
STURBRIDGE SCHOOL COMMITTEE	MTA	O
SWANSEA	AFSCME	S
SWANSEA	AFSCME	S
TECHNICAL IMPEX CORP.	TEAMSTERS	O
TEXTILE SHIELD CO., INC.	DALU	O
TRANSGAS INC.	TEAMSTERS	S
TUFTS UNIVERSITY	SEIU	S
TUFTS UNIVERSITY	SEIU	S
TUFTS UNIVERSITY	SEIU	S
TUFTS UNIVERSITY	SEIU	S
TUFTS UNIVERSITY	SEIU	S
TUFTS UNIVERSITY	SEIU	S
TUFTS UNIVERSITY	SEIU	S
TUFTS UNIVERSITY	SEIU	S
UNION LABOR SERVICES, INC.	TEAMSTERS	O
WALES SCHOOL COMMITTEE	MTA	O
WALTHAM	MCOP	O
WEST BOYLSTON	TEAMSTERS	S
WEST SPRINGFIELD	IBPO	O
WESTPORT	AFSCME	O
WESTPORT	IAFF	D
WOBURN	IBPO	D
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** DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

1984 ARBITRATION ANALYSIS

EMPLOYER	UNION	DS**
ALDEN CORRUGATED CONTAINER	UPIU	S
AUBURN	TEAMSTERS	S
AUBURN	USWA	S
AUBURN	TEAMSTERS	D
AUBURN	TEAMSTERS	S
AUBURN	TEAMSTERS	D
AYER	IBPO	D
BARWOOD MANUFACTURING CO.	IBEW	D
BELCHERTOWN SCHOOL COMMITTEE	BELCHERTOWN TEACHERS ASSN.	D
BOSTON	AFSCME	S
BOSTON CITY HOSPITAL	AFSCME	D
BOSTON DEPT. OF HEALTH & HOSPITALS	AFSCME	D
BOSTON DEPT. OF HEALTH & HOSPITALS	AFSCME	D
BRAINTREE	HLPE	S
BRAINTREE	IBPO	D
BRAINTREE	UWA	D
CAPE ANN TOOL CO.	BOILERMAKERS	D
CHILD WORLD, INC.	ALLIED NOVELTY UNION	D
CHILD WORLD, INC.	ALLIED NOVELTY UNION	D
CHILD WORLD, INC.	ALLIED NOVELTY UNION	S
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	D
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	S
COUNCIL OF ELDERS	UNITED LABOR UNIONS	S
EAST BRIDGEWATER SCHOOL COMM.	EAST BRIDGEWATER EDUCATION ASSN.	S
EAST BRIDGEWATER SCHOOL COMM.	EAST BRIDGEWATER ED. ASSN.	S
ESSEX COUNTY COMMISSIONERS	AFSCME	D
ESSEX COUNTY COMMISSIONERS	AFSCME	D
EVERETT SCHOOL COMMITTEE	EVERETT TEACHERS	D
FOSS MANUFACTURING CO.	TEAMSTERS	D
FOSS MANUFACTURING CO.	TEAMSTERS	D
FOSS MANUFACTURING CO.	TEAMSTERS	S
FOSS MANUFACTURING CO.	TEAMSTERS	S
FRIONOR KITCHENS	TEAMSTERS	S
FRIONOR KITCHENS, INC.	TEAMSTERS	D
FRIONOR KITCHENS, INC.	TEAMSTERS	D
HALE HOSPITAL	TEAMSTERS	S
HALE HOSPITAL	SEIU	S
HALE HOSPITAL	SEIU	D
HALE HOSPITAL	SEIU	S
HAVERHILL	IAFF	S
HAVERHILL	SEIU	S
HAVERHILL	SEIU	S
HAVERHILL PURIFICATION PLANT	TEAMSTERS	D
J. M. BYRNES CO.	SEAFOOD WORKERS	D
L & S INDUSTRIES	TEAMSTERS	S
LOWELL HOSING AUTHORITY	IUOE	S
LOWELL HOSING AUTHORITY	IUOE	S
LOWELL HOSING AUTHORITY	IUOE	S
LOWELL HOUSING AUTHORITY	IUOE	S
MERRIMACK VALLEY TRANSPORTATION	TEAMSTERS	D
METHUEN SCHOOL COMMITTEE	METHUEN EDUCATION ASSN.	S

** DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

1984 ARBITRATION ANALYSIS

EMPLOYER	UNION	DS**
METHUEN SCHOOL COMMITTEE	METHUEN EDUCATION ASSN.	S
METHUEN SCHOOL COMMITTEE	METHUEN EDUCATION ASSN.	S
O. R. COTE CO.	TEAMSTERS	D
ROURKE-ENO PAPER CO.	TEAMSTERS	D
SEEKONK DEPT. OF PUBLIC WORKS	AFSCME	D
SWANSEA	AFSCME	S
SWANSEA	AFSCME	D
SWANSEA	AFSCME	S
TANTASQUA REGIONAL SCHOOL DISTRICT	TANTASQUA REGIONAL TEACHERS ASSN.	S
TEWKSBURY	IBPO	S
TOWN OF SEEKONK	AFSCME	D
TRANSGAS, INC.	TEAMSTERS	S
TRANSGAS, INC.	TEAMSTERS	S
VAUGHN CORP.	TEAMSTERS	S
WALTHAM	MCOP	D
WARREN SCHOOL COMMITTEE	WARREN TEACHERS ASSN.	D
WEST SPRINGFIELD SCHOOL COMMITTEE	NAGE	S
WEST SPRINGFIELD SCHOOL COMMITTEE	WEST SPRINGFIELD EDUCATION ASSN.	D
WESTPORT	AFSCME	D
WESTPORT	AFSCME	D
WORCESTER COUNTY COMMISSIONERS	SEIU	S
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** DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

EMPLOYER	1985 INTEREST UNION	MEDIATION ANALYSIS BARGUNIT	DS*
ABINGTON	MTA	TEACHER	O
ABINGTON	AFSCME	TREATMENT OPERATOR	S
ACTON	CWA	DISPATCHER	S
ADAMS-CHESHIRE	MTA	TEACHER	O
AGAWAM	IND	CAFETERIA	S
AGAWAM	MTA	TEACHER	S
AMESBURY	AFSCME	CAFETERIA	O
AMESBURY	AFT	TEACHER	O
AMESBURY	SEIU	NONPROFESSIONAL	S
AMESBURY	SEIU	PROFESSIONAL	S
ARLINGTON	MTA	TEACHER	S
ASHLAND	MTA	TEACHER	S
ATTLEBORO	IND	CLERICAL	S
ATTLEBORO	MTA	PROFESSIONAL	O
AVON	MTA	TEACHER	O
AYER	AFSCME	CAFETERIA	S
BARNSTABLE	MTA	DPW	S
BEDFORD	AFSCME	DPW	S
BEDFORD	MTA	PROFESSIONAL	O
BELMONT	MTA	TEACHER	S
BELMONT	MTA	AIDE	S
BEVERLY	MTA	ADMINISTRATOR	S
BEVERLY	MTA	TEACHER	O
BLACKSTONE-MILLVILLE	MTA	ADMINISTRATOR	S
BOARD OF REGENTS	MTA	FACULTY	S
BOSTON	SEIU	RN	O
BOSTON	IND	DPW	S
BOSTON	IBPO	FIRE ENGINEER	S
BOSTON	SEIU	DPW	O
BOSTON	SEIU	CLERICAL TECHNICIAN	S
BOXFORD	MTA	TEACHER	S
BRIDGEWATER-RAYNHAM	MTA	TEACHER	O
BRIMFIELD	MTA	PROFESSIONAL	O
BROCKTON	MTA	AIDE	S
BROCKTON	NAGE	CUSTODIAN	S
BROOKLINE	AFSCME	ADMINISTRATOR	S
CAMBRIDGE	TEAMSTERS	ADMINISTRATOR	S
CARVER	MTA	TEACHER	O
CHELSEA	AFT	TEACHER	S
CHICOPEE	UFCWA	ADMINISTRATOR	O
CHICOPEE	MTA	TEACHER	F
COHASSET	MTA	TEACHER	O
CONCORD-CARLISLE	MTA	DRIVER MECHANIC	O
DENNIS	AFSCME	CLERICAL	S
DIGHTON-REHOBOTH	MTA	TEACHER	S
DUDLEY-CHARLTON	MTA	PROFESSIONAL	S
DUKES	AFSCME	CORRECTIONS	O
DUXBURY	AFSCME	DISPATCHER	O
EAST LONGMEADOW	MTA	TEACHER	S
EASTON	AFSCME	CUSTODIAN	S

** S--SETTLED, F--SET.BY FF, R--SET.AFTER FF REPORT, O--OPEN **

EMPLOYER	1985 INTEREST UNION	MEDIATION ANALYSIS BARGUNIT	DS**
EVERETT	HLPE	LIBRARY	O
FAIRHAVEN	AFSCME	DPW	S
FALL RIVER	IND	ADMINISTRATOR	O
FRAMINGHAM	MTA	NURSE	O
FRANKLIN	AFSCME	DPW	S
FRANKLIN	AFSCME	CLERICAL	S
GATEWAY	AFSCME	CLERICAL	S
GILL-MONTAGUE	MTA	TEACHER	S
GLOUCESTER	AFSCME	DPW LIBRARY	S
GLOUCESTER	AFSCME	CLERICAL	S
GLOUCESTER	MTA	PROFESSIONAL	S
GREATER NEW BEDFORD TECHNICAL	TEAMSTERS	ENGINEER	S
GREENFIELD	IUE	CLERICAL LIBRARY	O
GREENFIELD	IUE	DPW	S
HADLEY	MTA	CLERICAL	S
HALE	SEIU	MAINTENANCE	S
HALE	MNA	RN	O
HAMPDEN	AFSCME	COURTOFFICER	O
HANOVER	MTA	PROFESSIONAL	S
HANSON	AFSCME	DISPATCHER	S
HANSON	MTA	NURSE	S
HARWICH	MTA	CLERICAL AIDE	S
HOLBROOK	MTA	TEACHER	O
HOLBROOK	MTA	TEACHER	S
HOLDEN	MTA	TEACHER	F
HOLDEN	AFSCME	DPW	S
HOLLISTON	IND	CLERICAL	S
HOLYOKE	MNA	RN	S
HULL	AFSCME	SEWER	O
HULL	AFSCME	DPW	O
HULL	AFSCME	PROFESSIONAL	O
LANCASTER	MTA	CLERICAL	S
LEOMINISTER	AFSCME	CUSTODIAN	O
LEOMINSTER	AFSCME	CUSTODIAN	O
LEOMINSTER	AFSCME	CUSTODIAN	O
LOWELL	SEIU	ADMINISTRATOR	S
LUDLOW	AFSCME	DPW	S
LUNENBURG	MTA	TEACHER	O
MALDEN	MTA	TEACHER	S
MANSFIELD	AFSCME	DPW	S
MARION	MTA	TEACHER	S
MASHPEE	SEIU	DPW	O
MASHPEE	SEIU	CLERICAL	O
MAYNARD	AFSCME	CLERICAL	F
MBTA	IND	SECURITYGUARD	O
MBTA	ATU	DRIVER	S
MBTA	ATU	DRIVERS	O
MBTA	OPEIU	PROFESSIONAL	O
MEDFIELD	MTA	TEACHER	S
MEDFORD	MTA	CLERICAL	S
MEDFORD	IND	CLERICAL	S

** S--SETTLED, F--SET.BY FF, R--SET.AFTER FF REPORT, O--OPEN **

EMPLOYER	1985 INTEREST MEDIATION ANALYSIS		DS*
	UNION	BARGUNIT	
MELROSE	IND	DPW	S
MERRIMAC	AFSCME	LIGHTDEPT	S
MERRIMAC	AFSCME	DISPATCHER	S
METHUEN	MTA	TEACHER	O
MIDDLEBORO	AFSCME	CLERICAL	S
MIDDLESEX	SEIU	LPN	S
MIDDLESEX	IND	COURTOFFICER	S
MILFORD	AFSCME	CLERICAL	F
MONTAGUE	UE	WASTEPLANT	S
NEWTON	IUE	CUSTODIAN	S
NEWTON	AFSCME	FOREMAN	S
NEWTON	MTA	TEACHER	S
NEWTON	AFSCME	ADMINISTRATOR	S
NEWTON	IND	CLERICAL	S
NORFOLK	NAGE	CORRECTIONS	O
NORFOLK	AFSCME	ENGINEER	F
NORFOLK	MNA	RN	S
NORFOLK	AFSCME	REGISTRY	F
NORFOLK	SEIU	LPN	S
NORFOLK	AFSCME	MAINTENANCE	F
NORFOLK	AFT	TEACHER	O
NORFOLK	SEIU	ADMINISTRATOR	S
NORTH ADAMS	AFSCME	CUSTODIAN	S
NORTH ADAMS	MTA	AIDE	O
NORTH ANDOVER	AFSCME	CLERICAL	S
NORTHAMPTON	MTA	TEACHER	R
NORTHAMPTON	MTA	ADMINISTRATOR	S
NORTHBRIDGE	AFSCME	WASTEPLANT	S
NORTHERN BERKSHIRE	MTA	TEACHER	O
NORTON	AFSCME	CUSTODIAN	S
NORWELL	MTA	TEACHER	S
NORWOOD	MTA	TEACHER	S
PATHFINDER	MTA	TEACHER	O
PEABODY	IND	TRAFFIC SUPERVISOR	O
PEABODY	AFT	TEACHER	S
PEABODY	AFSCME	CLERICAL DPW	O
PEABODY	AFSCME	MAINTENANCE	S
PEABODY	AFSCME	CLERICAL	S
PEMBROKE	AFSCME	DPW	O
PEMBROKE	AFSCME	CLERICAL	S
PITTSFIELD	AFT	TEACHER	S
PITTSFIELD	AFT	PROFESSIONAL	S
PITTSFIELD	AFT	CAFETERIA	O
PITTSFIELD	AFT	DRIVER	S
PLYMOUTH	AFSCME	NONPROFESSIONAL	S
PRINCETON	MTA	TEACHER	S
QUABBIN	MTA	TEACHER	O
QUABOAG	SEIU	CAFETERIA	O
QUINCY	HLPE	CAFETERIA	O
QUINCY	HLPE	AIDE	O
QUINCY	IND	SECURITYGUARD	S

** S--SETTLED, F--SET.BY FF, R--SET.AFTER FF REPORT, 0--OPEN **

EMPLOYER	1985 INTEREST UNION	MEDIATION ANALYSIS BARGUNIT	DS**
QUINCY	IND	NURSE	S
QUINCY	MNA	RN	O
QUINCY	HLPE	ADMINISTRATOR	O
QUINCY	HLPE	MAINTENANCE	S
QUINCY	HLPE	LIBRARY	O
QUINCY	MTA	ADMINISTRATOR	S
QUINCY	NAGE	CUSTODIAN	S
READING	MTA	CLERICAL	O
READING	MTA	TEACHER	O
RICHMOND	MTA	TEACHER	O
ROCKLAND	HLPE	TRAFFIC	O
ROCKPORT	AFSCME	MAINTENANCE	O
SALEM	AFT	TEACHER	O
SALEM	AFT	AIDE	S
SMITH	MTA	TEACHER	S
SOMERSET	AFSCME	CUSTODIAN	S
SOMERVILLE	IND	NONSUPERVISOR	O
SOMERVILLE	IND	SUPERVISOR	O
SOMERVILLE	AFSCME	CLERICAL	S
SOMERVILLE	MTA	TEACHER	S
SOUTH DEERFIELD	MTA	TEACHER	O
SOUTH MIDDLESEX	MTA	TEACHER	S
SOUTH MIDDLESEX REGIONAL	AFSCME	CUSTODIAN	S
SOUTHBRIDGE	MTA	TEACHER	O
SOUTHERN WORCESTER	SEIU	CLERICAL	S
SOUTHWICK	AFSCME	CLERICAL	S
SOUTHWICK	AFSCME	DISPATCHER	S
SOUTHWICK	AFSCME	HEALTH	S
SOUTHWICK	AFSCME	DPW	S
SPECTAGUARD	CAPE	SECURITY GUARDS	S
SPENCER	SEIU	CLERICAL	O
SPENCER	SEIU	DPW	S
SPRINGFIELD	MNA	RN	S
SPRINGFIELD	SEIU	LPN	S
STOUGHTON	MTA	ADMINISTRATOR	S
STOUGHTON	MTA	TEACHER	O
STOW	MTA	TEACHER	O
SUTTON	MTA	TEACHER	S
SWAMPSCOTT	AFSCME	CLERICAL	S
SWAMPSCOTT	MTA	CLERICAL	F
SWAMPSCOTT	MTA	TEACHER	S
TANTASQUA	MTA	CLERICAL	S
TANTASQUA	MTA	TEACHER	F
TAUNTON	UWA	MAINTENANCE	S
TRI-COUNTY REGIONAL TECHNICAL	MTA	TEACHER	S
UPPER CAPE REGIONAL	MTA	CUSTODIAN	S
UXBRIDGE	MTA	TEACHER	S
UXBRIDGE	AFSCME	LABORER	F
WACHUSETT	IND	TEACHER	F
WALPOLE	AFSCME	LIBRARY	S
WALPOLE	MTA	TEACHER	O

** S--SETTLED, F--SET.BY FF, R--SET.AFTER FF REPORT, O--OPEN **

EMPLOYER	1985 INTEREST UNION	MEDIATION ANALYSIS BARGUNIT	DS**
WALTHAM	MTA	TEACHER	S
WAREHAM	AFSCME	LIBRARY	S
WAREHAM	MTA	TEACHER	F
WAREHAM	AFSCME	DPW	S
WATERTOWN	MTA	TEACHER	S
WELLESLEY	AFSCME	DPW	S
WEST SPRINGFIELD	MTA	TEACHER	S
WEST SPRINGFIELD	IND	HOSPITAL	O
WESTFIELD	IND	CAFETERIA	S
WESTFIELD	MTA	NURSE	O
WESTFIELD	MTA	TEACHER	S
WESTPORT	AFSCME	DPW	S
WESTPORT	AFSCME	CLERICAL	S
WESTWOOD	NAGE	CLERICAL	O
WHITMAN	MTA	TEACHER	S
WHITMAN	COEA	CLERICAL	S
WHITMAN-HANSON	IND	SECRETARY	S
WHITMAN-HANSON	MTA	DRIVER	S
WILMINGTON	MTA	CLERICAL	S
WOODS HOLE	TEAMSTERS	CLERICAL	O
WOODS HOLE	TEAMSTERS	MAINTENANCE	S
WOODS HOLE	TEAMSTERS	NONSUPERVISOR	S
WORCESTER	IND	NURSE	S
WORCESTER	MLDC	MECHANIC	O
WORCESTER	MLDC	CUSTODIAN	O
WORCESTER	MLDC	MAINTENANCE	S
WORCESTER	NAGE	TECHNICIAN	S
WORCESTER	MLDC	CUSTODIAN	S
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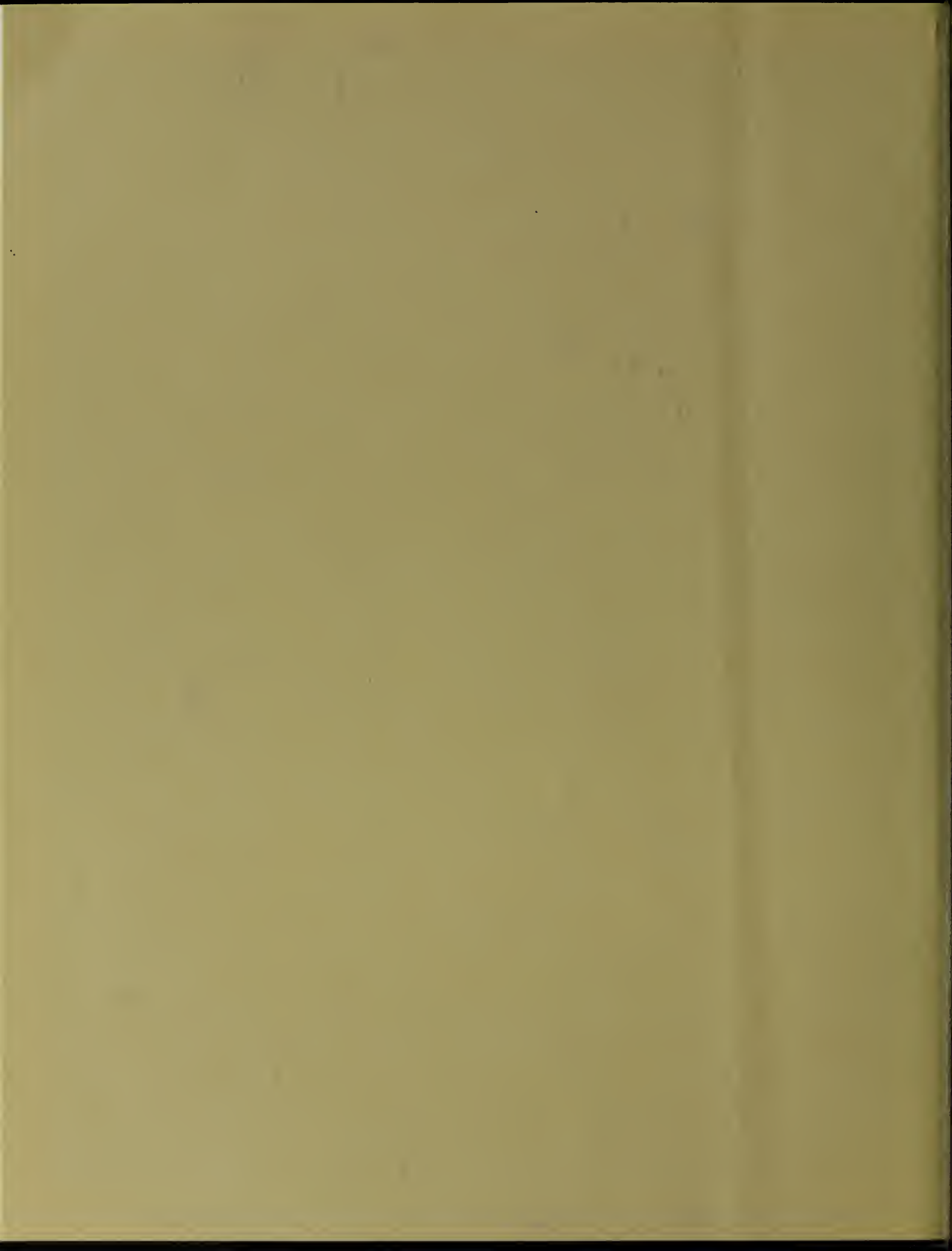
** S--SETTLED, F--SET.BY FF, R--SET.AFTER FF REPORT, 0--OPEN **

EMPLOYER	1984 INTEREST UNION	MEDIATION ANALYSIS BARGUNIT	DS**
ABINGTON	HLPE	CLERICAL	F
ABINGTON	IND	DPW	S
AMESBURY	AFSCME	CAFETERIA	F
ATHOL-ROYALSTON	IND	CLERICAL	S
AYER	AFSCME	CLERICAL	S
BARNSTABLE	MTA	TEACHER	S
BARNSTABLE	MTA	PROFESSIONAL	F
BELLINGHAM	AFSCME	TRADE CLERICAL	S
BELLINGHAM	AFSCME	DPW	S
BEVERLY	AFSCME	CLERICAL	S
BLACKSTONE-MILLVILLE	MTA	TEACHER	F
BOARD OF REGENTS	MCOP	POLICE	S
BOARD OF REGENTS	MTA	TEACHER	R
BOSTON	IND	PRINTING	F
BOSTON	MTA	SUPERVISOR	S
BURLINGTON	IND	NURSE	S
BURLINGTON	AFSCME	CLERICAL	S
CANTON	IND	ADMINISTRATOR	S
CARVER	AFSCME	DPW	S
CARVER	AFSCME	DISPATCHER	S
CENTERVILLE-OSTERVILLE FIRE DISTRICT	IND	DISPATCHER	S
CENTRAL BERKSHIRE REGIONAL	MTA	TEACHER	S
DANVERS	IND	PROFESSIONAL	S
DIMAN REGIONAL VOC.TECH.	MTA	PROFESSIONAL	S
EASTHAMPTON	MTA	TEACHER	F
EASTON	AFSCME	CLERICAL	S
FAIRHAVEN	MTA	TEACHER	S
FALL RIVER	MTA	TEACHER	S
FITCHBURG	AFSCME	MAINTENANCE	S
FOXBORO	MTA	TEACHER	S
GEORGETOWN	AFSCME	DPW	S
GLOUCESTER	AFSCME	CUSTODIAN	S
GREATER LOWELL	MTA	TEACHER	S
HAVERHILL	TEAMSTERS	WASTEPLANT	S
HAVERHILL	IND	CLERICAL	S
HAVERHILL	TEAMSTERS	WASTEPLANT	S
HOLLISTON	AFT	TEACHER	S
HOLYOKE	AFSCME	RECREATION	F
HOLYOKE	AFSCME	CLERICAL	S
HOLYOKE	AFSCME	MAINTENANCE	S
HUDSON	MTA	TEACHER	F
KING PHILIP	MTA	CUSTODIAN	S
LAWRENCE	IND	DPW	S
LUNENBURG	MTA	TEACHER	S
LYNN	AFSCME	DPW	S
MARTHA'S VINEYARD	MTA	TEACHER	S
MBTA	IND	ENGINEER	S
MBTA	IND	SUPERVISOR	S
MELROSE	AFSCME	LIBRARY	F
METHUEN	MTA	ADMINISTRATOR	S
MILFORD	AFSCME	AIDE CAFETERIA	F

** S--SETTLED, F--SET.BY FF, R--SET.AFTER FF REPORT, O--OPEN **

EMPLOYER	1984 INTEREST UNION	MEDIATION ANALYSIS BARGUNIT	DS**
MILLIS	MTA	TEACHER	S
MILTON	MTA	TEACHER	S
MOHAWK TRAIL	IND	TEACHER	S
NARRAGANSETT	IND	TEACHER	S
NEW BEDFORD	MTA	TEACHER	S
NEWBURY	MTA	TEACHER	S
NORFOLK	MTA	TEACHER	S
NORFOLK	IBCO	CORRECTIONOFFICER	S
NORTHBRIDGE	MTA	AIDE TUTOR	S
OLD COLONY REGIONAL TECH.	AFSCME	CUSTODIAN	S
PENTUCKET	AFSCME	CLERICAL	S
ROCKLAND	HLPE	TRAFFIC SUPERVISOR	S
ROCKLAND	AFSCME	DPW	S
ROCKLAND	HLPE	CLERICAL	S
SALEM	AFT	TEACHER	S
SEEKONK	AFSCME	DISPATCHER	S
SEEKONK	MTA	PROFESSIONAL	S
SHREWSBURY	IND	CLERICAL	S
SOUTH HADLEY	MTA	PARAPROFESSIONALS	F
TOPSFIELD	MTA	TEACHER	S
TOWNSEND	AFSCME	CLERICAL TRADE	S
UPPER CAPE REGIONAL	MTA	ADMINISTRATOR	F
UXBRIDGE	MTA	CLERICAL	S
WALTHAM	MCOP	POLICE	S
WAREHAM	IND	CLERICAL	S
WAYLAND	MTA	TEACHER	S
WEST SPRINGFIELD	IND	CLERICAL	S
WEST SPRINGFIELD	NAGE	CUSTODIAN	S
WESTFORD	MTA	TEACHER	S
WESTFORD	MTA	ADMINISTRATOR	S
WHITMAN	AFSCME	DPW	S
WHITMAN	AFSCME	CUSTODIAN	S
WORCESTER	SEIU	SERVICE	S
WORCESTER	MTA	BILINGUAL AIDE	S
=====	=====	=====	=====

** S--SETTLED, F--SET.BY FF, R--SET.AFTER FF REPORT, O--OPEN **





**BOARD of
CONCILIATION and ARBITRATION**

**ONE HUNDREDTH
ANNUAL REPORT**

JULY 1, 1985 — JUNE 30, 1986

GOVERNMENT DOCUMENTS
COLLECTION

SEP 8 1987

University of Massachusetts
Depository Copy

Michael S. Dukakis
Governor

Diane Zaar Cochran
Chairman

THE COMMONWEALTH OF MASSACHUSETTS

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THE COMMONWEALTH OF MASSACHUSETTS
BOARD OF CONCILIATION AND ARBITRATION

ONE HUNDREDTH ANNUAL REPORT
JULY 1, 1985-JUNE 30, 1986

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I. THE BOARD AND ITS MISSION

The Board of Conciliation and Arbitration is entering its second century of service to the Commonwealth. It is an independent, quasi-judicial agency within the Executive Office of Labor, but not subject to its jurisdiction, and is the oldest state labor arbitration agency in the country. The Board's principles of operation are firmly rooted in its mandate as set forth in Chapter 23C of the General Laws, the Board's enabling act:

§ 1. Declaration of Policy

It is hereby declared to be the public policy of this state that the best interests of the people of the state are served by the prevention or prompt settlement of labor disputes; and it shall be the responsibility and objective of the board of conciliation and arbitration to take such steps as will most effectively and expeditiously encourage the parties to a labor dispute to agree on the terms of a settlement or to agree on the method and procedure which shall be used to resolve a dispute.

With the Commonwealth's vision of economic opportunities for all and its all-out assault on the causes of poverty, it becomes vitally important to build on the growing cooperation in the labor relations community. The Board's role in this larger vision focuses on the Commonwealth's goal "to build alliances between and among the business and labor and educational communities."¹ The Board provides several services to this

1. "Massachusetts: Bringing Down The Barriers", State of the State Address of Governor Michael S. Dukakis, January, 1987.

end. Hundreds of labor unions and employers have sought Board assistance during the past year, involving thousands of employees and virtually every political subdivision in the state. These services presently include: (1) interest mediation, mediation of disputes arising out of contract negotiations; (2) preventive mediation, conciliation of potentially disruptive situations; (3) grievance mediation, prehearing conciliation of grievance arbitration cases; (4) grievance arbitration, the final and binding hearing and decision on disputes arising under collective bargaining agreements; (5) unfair labor practice mediation, mediation of cases referred by the Labor Relations Commission; (6) community education, educational outreach through participation in state, regional and national labor relations education programs, Board sponsored programs for labor and management, and speaking before the general public.

II. BOARD SERVICES

A. Interest Mediation

The Board provides professional mediators to assist public and private sector employers and labor unions in resolving disputes arising out of contract negotiations. As part of its duties under M.G.L. c.150E, the Board also maintains a panel of neutrals to provide fact-finding for those few public sector disputes which require a second level of resolution. In addition, the Joint Labor-Management Committee, which oversees collective bargaining and impasses for municipal police and

firefighters, has requested Board mediation of its cases where appropriate.

The Board's interest mediation service is its highest priority program because resolving contract negotiation disputes prevents workplace disruption. Disruptions can easily multiply because disputes involving one group of employees can often have a ripple effect on other groups working for the same employer or even other employers. Because a disruption in the workplace can have substantial economic consequences for the employer, the employees, the union, the local community, and ultimately the Commonwealth, speedy settlement of disputes benefits the economy as a whole.

The service is used extensively by state, county, and municipal governments, health care institutions, schools, and housing and transportation authorities. (See Appendix A) As such, the Board's mediation service constitutes a form of local aid since it is provided at no cost to the parties involved. It is the public policy of the state that the best interests of its residents are served by the prevention or prompt settlement of labor disputes. These interests should not depend on the parties' ability or inability to pay for the help of professional neutrals.

The Board also makes its staff available to work in conjunction with the Federal Mediation and Conciliation Service in the private sector, intervening in disputes which would have a significant effect on the Massachusetts economy. Seven major private sector cases were resolved with Board assistance during the past fiscal year in the manufacturing, utility,

communication, transportation and healthcare industries.

The chart below indicates that of 284 open public sector contractual disputes in FY86, 199 (70%) were resolved by the Board through mediated settlements. Of the remaining 84 FY86 disputes, 60 (71%) were filed in the last two months of the fiscal year. They were resolved near the beginning of FY87, just as 72 FY85 disputes were resolved during early FY86. All of the resolved disputes were settled in mediation, the first level of dispute resolution. The one case in arbitration is an MBTA dispute which proceeded to binding interest arbitration in accordance with the requirements of M.G.L. c.161 § 19d.

PUBLIC SECTOR INTEREST MEDIATION REQUESTS

TOTAL DISPUTES RECEIVED IN FY86.....	205
FY86 SETTLED IN FY86.....	121
SETTLED IN MEDIATION.....	121
FY86 OPEN IN FY87.....	84
(RECEIVED LAST 2 MONTHS OF FY86.....)	60
IN FACT-FINDING.....	16
IN MEDIATION.....	68
FY85 SETTLED IN FY86.....	78
SETTLED IN MEDIATION.....	78
FY85 OPEN IN FY86.....	1
IN ARBITRATION.....	1
TOTAL DISPUTES RESOLVED IN FY86.....	199

The Board's mediation staff is directly responsible for the extraordinarily high rate of mediated settlements in the

Commonwealth, maintaining a decade of labor-management harmony that is unsurpassed in today's labor relations climate.

B. Preventive Mediation

The Board's policy is to encourage parties coming before it to settle their differences voluntarily and informally. Since the parties realize it is to their advantage to avoid damaging cooperative relationships they have worked hard to develop, more and more of them have been taking advantage of the Board's expanding preventive mediation program. They frequently ask mediators to assist in discussions of issues which might cause grievances to arise or which are not resolvable through the grievance procedure.

For example, during FY86 a Board mediator established a preventive mediation procedure at a Holyoke paper and printing company similar to the process initiated last year at a New Bedford area food processing company. Both arrangements have succeeded in cutting the number of formal grievances substantially. At the request of the company or the union, the mediator meets informally with employees who may be unhappy with some aspect of their work. The mediator also meets with company representatives and many times adjustments will be made which eliminate the need for a formal grievance. Even though resolution of the problem may not always be possible, the establishment of lines of communication between employer and employees has proved to be a valuable accomplishment. There were no requests for grievance arbitration from the paper plant at all in FY86, a fact which was entirely attributable to

preventive mediation.

Board mediation is an informal and confidential process (passage of the Board sponsored mediator confidentiality bill, Acts of 1985, c.357, formalized this policy) so parties may freely disclose the essence of their disputes to the mediator. They frequently agree on new procedures or other results tailored to their needs, regardless of whether the dispute could have been successfully referred to arbitration. Through preventive mediation, detrimental precedents are avoided while the practice of effective dispute resolution is encouraged.

C. Grievance Mediation

Grievance mediation is offered to all parties coming to the Board for grievance arbitration, just before the hearing. Also, where records show an above average number of grievance arbitrations in certain bargaining units, the Board offers on-site mediation several weeks before the scheduled hearing. Staff members never serve as both mediator and arbitrator of the same case and the mediator is constrained from discussing the case with the arbitrator or anyone else in the interest of confidentiality.

The Board also mediates grievances for parties who use other forums for arbitration. For instance, some parties' collective bargaining agreements require that arbitrators be chosen from specific panels such as the American Arbitration Association (AAA). Prior to paying for the services of a private arbitrator and risking a loss to one of the parties through a binding decision, Board mediation is requested. This is another facet

of mediation that is growing in popularity, with requests more than doubling between FY85 and FY86. It is widely recognized in the labor relations community that the Board's 86% success rate is the best record in the nation for this type of program.

OUTSIDE GRIEVANCE MEDIATION REQUESTS

FY86 REQUESTS.....	131
SETTLEMENTS.....	113
RATE.....	86%
FY85 REQUESTS.....	61
SETTLEMENTS.....	51
RATE.....	84%

The win/win outcome of the mediation settlement is preferred by parties who are aware of the win/lose aspects of arbitration awards. The process has prevented grievances from accumulating and recurring, and has advanced the practice of mature collective bargaining. The success of the process shows in the settlement rate: during FY86 the Board mediated 175 grievances, 167 or 95% of which were mediated to settlement. FY86 requests for grievance mediation increased by 75% over the requests received in FY85. We believe the demand for this service will continue to multiply as it has for the last two years.

GRIEVANCE MEDIATION REQUESTS

FY86 REQUESTS.....	175
SETTLEMENTS.....	167
RATE.....	95%

FY85 REQUESTS.....	132
SETTLEMENTS.....	96
RATE.....	73%
FY84 REQUESTS.....	79
SETTLEMENTS.....	53
RATE.....	67%

D. Grievance Arbitration

At the request of parties, Board arbitrators conduct quasi-judicial evidentiary hearings and take arguments in disputes involving the interpretation of collective bargaining agreements. The arbitrator then issues a written decision containing an award which is final and binding upon the parties.

The service is utilized by a statewide constituency of management and union labor relations representatives for: hospitals, fish packing and produce companies, municipal departments of public works, police departments, fire departments, manufacturers, counties, trucking firms and school systems, among many others. (See Appendix B) Public sector disputes continue to comprise about half of the grievance arbitration petitions received.

A large percentage of the grievances cited in petitions for Board arbitration were settled before reaching the hearing stage. Disputes may settle without a hearing in several ways: parties may have second thoughts and unilaterally withdraw the petition, parties may meet informally and reach an accord, or parties may meet with a Board mediator and settle the issue in grievance mediation. Since the Board and the parties are

strongly committed to grievance mediation, an increasing number of potential arbitrations are successfully resolved in this manner. (See Part C. Grievance Mediation)

The Board received 135 requests for grievance arbitration in FY86. A total of 141 grievances were resolved; 76 from FY86 and 65 from FY85. Sixty-two percent (87) of this total were resolved through a mediated settlement; 38% (54) by an arbitrator's decision. Of the 59 open FY86 arbitrations, 37% (22) were heard in FY86 with decisions to be written in FY87; 7% (4) had not reached their scheduled hearing date; and 56% (33) were not scheduled for hearing in FY87. Thirty-nine percent of the open FY86 arbitrations were filed during the last two months of FY86.

GRIEVANCE ARBITRATION REQUESTS

TOTAL ARBITRATIONS RECEIVED IN FY86.....	135
PUBLIC SECTOR.....	61
PRIVATE SECTOR.....	74
FY86 ARBITRATIONS RESOLVED IN FY86.....	76
FY86 SETTLED IN FY86.....	61
FY86 DECISIONS IN FY86.....	15
FY85 ARBITRATIONS RESOLVED IN FY86.....	65
FY85 SETTLED IN FY86.....	26
FY85 DECISIONS IN FY86.....	39
FY86 OPEN ARBITRATIONS.....	59
(RECEIVED LAST 2 MONTHS FY86.....)	23)
FY85 OPEN ARBITRATIONS.....	6
TOTAL ARBITRATIONS RESOLVED.....	176

E. Mediation of Unfair Labor Practices

Chapter 351 of the Acts of 1981 amended Section 11 of Chapter 150E of the General Laws, authorizing the Labor Relations Commission to refer certain unfair labor practice cases to the Board for mediation prior to submission to the Commission's decision-making process. The sole case referred to the Board in FY86 was successfully mediated, resulting in the withdrawal of the unfair labor practice charge pending before the Labor Relations Commission.

F. Community Education

The Board is committed to promoting progress and peace in the labor relations community by sharing its available resources. Its staff is active in developing and presenting a number of educational programs designed to educate participants on the advantages of alternative dispute resolution. We aim to train parties in constructing and maintaining strong, positive working relationships.

Chairman Diane Zaar Cochran presented a paper and spoke at the Suffolk University Law School Center for Continuing Professional Development on "Problems and Solutions in Public Sector Labor Law." She conducted a class on Grievance Arbitration at Boston College Law School. The Chairman also spoke at U/Mass-Boston class of graduate students on "The Use of Mediation in the Labor Arena." On behalf of the Association of Labor Relations Agencies (ALRA), she spoke on "Mediating Unfair Labor Practice Charges" at the Florida Public Employee Relations Board and presented "Utilizing Fact Finders As Mediators" at an

Arbitration Day sponsored by the American Arbitration Association (AAA) in Florida.

James Snow, the former Vice Chairman, reported on Board activities to the Boston Bar Association's Public Sector Conference. Michael C. Ryan, the current Vice Chairman, spoke on the topic of "Past Practice" at an Arbitration Day sponsored by the Maine Municipal Association. George Fitzpatrick, a Board mediator, was invited to lecture at Worcester State College on "The Role of the Mediator." He was also an instructor on "Contract Negotiation" in a week long program given by NYNEX Instructional Complex for its personnel.

The entire professional staff took part in the New England Regional Arbitration Conference held in celebration of the Board's 100th anniversary at the U/Mass-Amherst Labor Relations and Research Center. The Chairman was a panel member of "State of the Art in Labor Mediation: Massachusetts Board of Conciliation and Arbitration 100 Years Later." Nancy Peace, a Board Mediator/Arbitrator, presented a workshop on "Absenteeism and Tardiness." All of the staff were available for discussions and questions throughout the conference.

III. BOARD STAFF

In FY86, the Board continued to concentrate on developing and stabilizing its professional staff. Michael C. Ryan, who had been a Mediator/Arbitrator for the Board, became Vice Chairman when James Snow moved on to become Commissioner of Labor and Industries late in FY86. Sarah Garraty, previously

Counsel for the Labor Relations Commission, was hired as a Mediator/Arbitrator.

<u>Chairman:</u>	Diane Zaar Cochran
<u>Vice Chairman:</u>	Michael C. Ryan
<u>Mediator/Arbitrators:</u>	Sarah Garraty Marsha Hunter Elliot Klitzman Nancy Peace
<u>Mediators:</u>	Stevens Day Walter Diehl George Fitzpatrick James Leydon John Mark
<u>Research Assistant:</u>	Marilyn Hilliard
<u>Administrative Assistant:</u>	Lynette Fields

IV. HIGHLIGHTS OF FY86

As part of her strong commitment to Board involvement in the labor relations community, Chairman Cochran maintains an active role in several organizations. She was voted Vice President for Mediation/Arbitration of ALRA (an international organization consisting of neutral labor relations agencies in the U.S. and Canada), serves as Secretary of the Boston Chapter of the Industrial Relations Research Association (IRRA), and is a member of the Boston Labor Guild Executive Board.

Walter Diehl, a Board mediator, was honored by the Governor's Pride In Performance Program, receiving a "Citation for Outstanding Performance" for the Labor Secretariat.

A. Strike Resolution Highlights

Marsha Hunter, a Board Mediator/Arbitrator, was assigned to mediate a dispute between the Quincy School Committee and HLPE (representing the Quincy Paraprofessionals) in April of 1985. The major obstacle to settlement of the parties' collective bargaining was their disagreement over the upgrading of all the positions in the unit. After a number of mediation sessions, a fact-finder was assigned by the Board to investigate the parties' inability to reach agreement. The fact-finder issued a report in March of 1986.

The parties were unable to settle the contract based on the fact-finder's recommendations and requested additional mediation from the Board. In the interim, the Union went on strike March 26-27, 1985 and struck again on April 12, 1985. Ms. Hunter stepped up her mediation efforts and the dispute was finally settled on June 13, 1986.

The Boston School Committee and the United Steelworkers of America (representing the Boston school bus drivers) had been without a contract for two months when they requested mediation from the Board. Elliot Klitzman was assigned and an impending strike over the firing without hearings of 14 drivers because of their criminal records was prevented through a mediated agreement resolving those critical disputes.

Sessions to arrive at a collective bargaining agreement continued, at times lasting well into the early morning hours. There was disagreement over three issues; medical and pension benefits, and bus inspections. In January, 1986 the drivers struck for twelve school days over these issues. A temporary

restraining order was issued by Chief Justice Thomas R. Morse of the Suffolk Superior Court. When the drivers failed to return to work, parents of special needs students requested that the union be held in contempt of court. They were joined in this action by the School Committee.

A second Board mediator, Stevens Day, joined the mediation effort. More frequent sessions continued until January 20th when an agreement was reached. However, a month later the drivers still had not signed the contract. The bus firms for whom the drivers worked filed an Unfair Labor Practice charge against the union. Mr. Klitzman once again stepped in to provide mediation which led finally to a signed agreement in June, 1986.

The Tewksbury School Committee and the MTA had been bargaining since December 1984 when they requested Board mediation in July of 1985. Marsha Hunter was assigned to assist the parties. The principal issue was salaries; Tewksbury teachers were among the lowest paid in the Commonwealth. In August 1985 an agreement was reached, but the School Committee withdrew its offer at an October 7th town meeting when it was disclosed the town's budget was some \$2 million over Proposition 2 1/2 limits.

On October 31st, the teachers commenced a strike which lasted three school days. Chairman Cochman entered the mediation sessions when the teachers returned to work. It was agreed that the MTA would receive a 3-year package pending the passage of a debt-exclusion voter referendum scheduled for November 1985. When the the referendum failed, the parties

returned to the bargaining table. Chairman Cochran successfully mediated a new agreement which was overwhelmingly ratified by the teachers in April of 1986.

FUTURE DIRECTIONS

In the Spring of 1987, the Board expects to open its Western Massachusetts office. The office will initially be staffed by two professionals and one clerical employee. The new branch office will be a boon to the labor relations community in that area as employers and unions will have access to services which were not previously available to them because of distance.

Accordingly, requests for all the Board's services are expected to increase. The dramatic increase in opportunities to present the full range of these services, particularly grievance mediation and arbitration, will contribute to the growth of labor-management cooperation in the Commonwealth.

Just as exciting is the Board's planned move to larger home offices a few floors up from our current location. The need for larger and additional hearing rooms has shown itself frequently over the past few years, especially during arbitration hearings and critical strike mediations. The increased space afforded by the move will enable us to accomodate our patrons in a professional manner and will certainly improve our productivity, efficiency and appearance.

The Board will continue to broaden its efforts to build the alliances so critical to the economic future of the Commonwealth by further development and expansion of its grievance mediation

program, creation of innovative approaches to community education, advanced computerization of data processing and information retrieval and ceaseless attention to opportunities to provide available training and upgrading of skills to its staff.

EMPLOYER	UNION	DS**
AGAWAM	TEAMSTERS	S
AGAWAM	IAFF	S
ATHOL	MTA	O
AUBURN	TEAMSTERS	D
BOSTON	AFSCME	D
BOSTON	AFSCME	D
BOSTON	AFSCME	O
BOSTON	AFSCME	O
BRAINTREE	UWA	O
BRAINTREE	UWA	O
BRAINTREE	UWA	O
BRAINTREE	UWA	O
C & S SAND & GRAVEL	TEAMSTERS	D
CHARLTON	SEIU	S
CHICOPEE	UFCW	O
CHICOPEE	IBPAT	D
CHILD WORLD	ANPW	S
COCA COLA BOTTLING CO.	TEAMSTERS	S
COLUMBIA MFG. CO.	MAW	S
CONCORD	IAFF	S
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	S
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	S
COUNCIL OF ELDERS	SEIU	D
COUNCIL OF ELDERS	SEIU	S
COUNCIL OF ELDERS	SEIU	S
DANVERS	MTA	O
DIA FREIGHT SYSTEMS	TEAMSTERS	S
DIGHTON	AFSCME	O
DIGHTON	AFSCME	O
EAST BRIDGEWATER	MTA	O
ESSEX COUNTY	AFSCME	O
ESSEX COUNTY	AFSCME	O
ESSEX COUNTY	AFSCME	O
ESSEX COUNTY	TEAMSTERS	O
FOREST HILLS CEMETERY	OCAW	O
FOSS MANUFACTURING CO.	TEAMSTERS	O
FOSS MFG. CO.	TEAMSTERS	O
FOSS MFG. CO.	TEAMSTERS	S
FOXBOROUGH	MTA	O
FRIONOR KITCHENS	TEAMSTERS	O
FRITO-LAY	TEAMSTERS	O
FRITO-LAY	TEAMSTERS	O
FRITO-LAY	TEAMSTERS	O
FRITO-LAY	TEAMSTERS	O
GEORGETOWN SAND & GRAVEL	TEAMSTERS	S
GSX	TEAMSTERS	D
GSX	TEAMSTERS	S
GSX	TEAMSTERS	S
GSX	TEAMSTERS	O
GSX	TEAMSTERS	O
GSX	TEAMSTERS	O
GSX	TEAMSTERS	S
GSX	TEAMSTERS	D
GSX	TEAMSTERS	O
HATHAWAY MACHINERY CO.	TEAMSTERS	S
HATHAWAY MACHINERY CO.	TEAMSTERS	S
HAVERHILL	SEIU	S

** **DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

EMPLOYER	UNION	DS**
HAVERHILL	TEAMSTERS	S
HAVERHILL	SEIU	S
HAVERHILL	SEIU	O
HAVERHILL	TEAMSTERS	O
HAVERHILL	TEAMSTERS	S
HAVERHILL	TEAMSTERS	O
HAVERHILL	SEIU	S
HAVERHILL	SEIU	D
HAVERHILL	TEAMSTERS	S
HAVERHILL	TEAMSTERS	O
HAVERHILL	SEIU	S
HENRY HEYWOOD MEMORIAL HOSP.	SEIU	S
HERTZ CORP.	TEAMSTERS	S
HERTZ CORP.	TEAMSTERS	S
HERTZ CORP.	TEAMSTERS	D
HERTZ CORP.	TEAMSTERS	S
HERTZ CORP.	TEAMSTERS	S
HERTZ CORP.	TEAMSTERS	S
HERTZ CORP.	TEAMSTERS	S
HULL	IBPO	O
HULL	IBPO	O
J.W. DOUGLASS CORP.	TEAMSTERS	S
K.R. REZENDES	TEAMSTERS	S
LAWRENCE READY MIXED CONCRETE	TEAMSTERS	S
LAWRENCE	AFSCME	O
LIQUID CARBONIC CORP.	TEAMSTERS	O
LOGAN AIRPORT HILTON	TEAMSTERS	O
M.L. MCDONALD CO.	IBPAT	S
MASS WHOLESALE DRUG CO.	UFCW	S
MASSACHUSETTS	AFSCME	O
MASSACHUSETTS	AFSCME	O
MERRIMACK VALLEY AREA TRANSP.	TEAMSTERS	S
MERRIMACK VALLEY AREA TRANS.	TEAMSTERS	O
METHUEN	MTA	O
MILBURY	MCOP	S
MILBURY	MCOP	S
MORANE LABOR LEASING	TEAMSTERS	O
NATIONAL CAR RENTAL	TEAMSTERS	D
NATIONAL CAR RENTAL	TEAMSTERS	O
NATIONAL CAR RENTAL	TEAMSTERS	S
NEW ENGLAND CRINC	TEAMSTERS	S
NONANTUM LUMBER CO.	TEAMSTERS	S
NORTH ADAMS	IBPO	S
NORTH ADAMS	IBPO	S
NORTH ADAMS	IBPO	S
NORTHAMPTON CENTER	UAW	S
NORTHEAST METROPOLITAN	MTA	O
NORTHEAST METROPOLITAN	MTA.	O
O.R. COTE CO.	TEAMSTERS	O
OLD WORTHEN CAFE	HRWB	O
OLD WORTHERN CAFE	HRWB	D
REVERE	IND	D
REVERE	IND.	O
REVERE	IND	O
ROARKE-ENO PAPER CO.	TEAMSTERS	S
ROHTSTEIN CORP.	BCTWU	S
SAMUEL BLACK CO.	UFCW	S

** **DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

EMPLOYER	UNION	DS**
SEEKONK	AFSCME	O
SPINCRAFT-MASS	TEAMSTERS	O
SPRINGFIELD	IBPO	O
SPRINGFIELD	AFSCME	O
SWANSEA CONCRETE CORP	TEAMSTERS	D
SWANSEA CONCRETE CORP.	TEAMSTERS	S
TEWKSBURY	IBPO	O
TEWKSBURY	IBPO	O
TUFTS UNIVERSITY	SEIU	S
TUFTS UNIVERSITY	SEIU	D
WALTHAM	MCOP	S
WARE	IND	S
WEBSTER	SEIU	S
WEBSTER	AFSCME	S
WESTPORT	AFSCME	O
WESTPORT	AFSCME	S
WORCESTER	SEIU	O
WORCESTER	SEIU	O
WORCESTER	SEIU	S
WORCESTER	SEIU	O
WORCESTER	SEIU	O
WYETH LABORATORIES	TEAMSTERS	S
=====	=====	=====

** **DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

EMPLOYER	UNION	DS**
ABINGTON	ABINGTON DPW	S
ALDEN CORRUGATED CONTAINER	UPIU	D
AUBURN	TEAMSTERS	D
AUBURN	TEAMSTERS	D
BOSTON	TEAMSTERS	D
BRAINTREE	IBPO	D
BRAINTREE	AFSCME	S
COCA COLA BOTTLING CO.	TEAMSTERS	D
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	D
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	D
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	D
COSTA FRUIT & PRODUCE CO.	TEAMSTERS	D
COUNCIL OF ELDERS	TEAMSTERS	D
CRAY-BURKE CO.	TEAMSTERS	D
DANNON CO.	TEAMSTERS	D
DANVERS	MTA	D
EAST BRIDGEWATER	MTA	D
ESSEX COUNTY	AFSCME	S
ESSEX COUNTY	AFSCME	O
ESSEX COUNTY	AFSCME	D
ESSEX COUNTY	AFSCME	S
ESSEX COUNTY	AFSCME	S
EVERETT	MTA	S
EVERETT	MTA	D
FALL RIVER	AFSCME	D
FALMOUTH	AFSCME	S
FOREST HILLS CEMETERY	OCAW	S
FOREST HILLS CEMETERY	OCAW	S
FOSS MANUFACTURING	TEAMSTERS	D
FRITO-LAY, INC.	TEAMSTERS	S
FRITO-LAY, INC.	TEAMSTERS	S
GLOBE FISH CO.	SEAFOOD WORKERS	S
GLOBE FISH CO.	SEAFOOD WORKERS	S
GLOBE FISH CO.	SEAFOOD WORKERS	S
GREATER LOWELL VOC.TECH.	HRWB	D
HATHAWAY OIL CO.	TEAMSTERS	S
HAVERHILL	TEAMSTERS	S
HAVERHILL	SEIU	S
HAVERHILL	SEIU	O
HAVERHILL	SEIU	S
MASS CRINC	TEAMSTERS	D
MEDFORD	IND	O
MERCHANTS TIRE CO.	TEAMSTERS	D
MERCHANTS TIRE CO.	TEAMSTERS	D
MORANE LABOR LEASING CO.	TEAMSTERS	D
MORANE LABOR LEASING CO.	TEAMSTERS	S
MORANE LABOR LEASING CO.	TEAMSTERS	S
NATIONAL CAR RENTAL SYSTEMS	TEAMSTERS	D
NORTHEAST METROPOLITAN REG.VOC	MTA	S
NORTHEAST METROPOLITAN REG.VOC	MTA	O
ORANGE	IAFF	S
PACKARD PAPER BOX CO.	UPIU	O
PEMBROKE	IBPO	O
PLYMOUTH COUNTY	IBCO	D
PLYMOUTH COUNTY	IBCO	D
PLYMOUTH COUNTY	IBCO	D
REICHOLD CHEMICALS	OCAW	D

** **DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

EMPLOYER	UNION	DS**
SALEM	TEAMSTERS	O
SCA-GSX	TEAMSTERS	D
SCA-GSX	TEAMSTERS	D
SCA-GSX	TEAMSTERS	D
SERTA OF N. E., INC.	UIU	D
SPENCER	SEIU	S
SPENCER-E.BROOKFIELD	SEIU	S
STANDARD LINEN SERVICE, INC.	LAUNDRY & DRY CLEANING	S
STURBRIDGE SCHOOL COMMITTEE	MTA	D
TECHNICAL IMPEX CORP.	TEAMSTERS	D
TEXTILE SHIELD CO.	DALU	S
UNION LABOR SERVICES	TEAMSTERS	O
W. SPRINGFIELD	IBPO	D
WALES	MTA	S
WALTHAM	MCOP	D
WESTPORT	AFSCME	S
=====	=====	=====

** **DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

ACUSHNET	MTA	TEACHER	S
AMESBURY	AFT	NURSE	S
ATHOL	MTA	TEACHER	O
AVON	AFSCME	PROFESSIONAL	S
AYER	IND	ADMINISTATOR	S
BARNSTABLE	TEAMSTERS	AIRPORT	O
BAY PATH	MTA	ADMINISTRATOR	O
BEDFORD	MTA	CAFETERIA	S
BELLINGHAM	AFSCME	CLERICAL	O
BELLINGHAM	MTA	NURSE	O
BELLINGHAM	AFSCME	HIGHWAY	O
BELLINGHAM	AFSCME	AIDE	O
BELLINGHAM	AFSCME	CUSTODIAN	O
BELMONT	MTA	TEACHER	O
BELMONT	MTA	NURSES	O
BELMONT	SEIU	SECRETARY	S
BERLIN	MTA	TEACHER	S
BEVERLY	MTA	TEACHER	S
BEVERLY	AFSCME	CLERICAL	S
BLACKSTONE	AFSCME	CLERICAL	S
BLUE HILLS	MTA	FACULTY	O
BOARD OF REGENTS	AFSCME	MAINTENANCE	O
BOARD OF REGENTS	MTA	FACULTY	O
BOARD OF REGENTS	MTA	FACULTY	S
BOSTON	LIUNA	MAINTENANCE	S
BOSTON	SEIU	PROFESSIONAL	S
BOSTON	AFSCME	CORRECTION	S
BOSTON	IND.	INSPECTOR	S
BOSTON	IND	SECURITY	S
BOURNE	AFSCME	CAFETERIA	S
BRAINTREE	MTA	TEACHER	O
BRAINTREE	AFSCME	CLERICAL	S
BROOKLINE	MTA	RN	S
BURLINGTON	MTA	NURSE	S
CAMBRIDGE	AFSCME	INSPECTOR	S
CAMBRIDGE	MNA	RN	O
CAMBRIDGE	LIUNA	MAINTENANCE	S
CANTON	MTA	TEACHER	O
CARVER	MTA	TEACHER	S
CENT. BERKSHIRE	MTA	ADMINISTRATOR	S
CENT. BERKSHIRE	AFSCME	CUSTODIAN	S
CHELMSFORD	MTA	ADMINISTRATOR	O
CHELSEA	MTA	ADMINISTRATOR	S
CONCORD-CARLISLE	MTA	DRIVER	O
DANVERS	AFSCME	CAFETERIA	S
DANVERS	AFSCME	CLERICAL	S
DANVERS	AFSCME	MAINTENANCE	S
DANVERS	AFSCME	DPW	S
DANVERS	AFSCME	AIDE	S
DANVERS	AFSCME	LIGHTDEPT	S
DANVERS	MTA	TEACHER	S
DANVERS	AFSCME	CLERICAL	S
DARTMOUTH	MTA	PROFESSIONAL	S
DARTMOUTH	AFSCME	CUSTODIAN	S
DEDHAM	AFSCME	DPW	S

** S--SETTLED, F--SET. BY FF, R--SET. AFTER FF REPORT, O--OPEN **

EMPLOYER	UNION	ANALYSIS BARGUNIT	DS**
DIGHTON	MTA	TEACHER	O
DIGHTON-REHOBOTH	IND	TEACHER	O
DOVER-SHERBORN	MTA	TEACHER	O
DUXBURY	NAGE	CLERICAL	O
EASTON	AFSCME	CLERICAL	O
EASTON	AFSCME	CLERICAL	O
EASTON	AFSCME	CUSTODIAN	O
ESSEX	AFSCME	CLERICAL	S
FALMOUTH	AFSCME	CLERICAL	S
FRAMINGHAM	LIUNA	MAINTENANCE	S
FRAMINGHAM	MTA	FACULTY	S
FRAMINGHAM	HLPE	LIBRARY	S
FRAMINGHAM	MTA	TEACHER	O
FRANKLIN	AFSCME	CLERICAL	O
FREETOWN-LAKEVILLE	MTA	TEACHER	O
FREETOWN-LAKEVILLE	MTA	TEACHER	S
GLOUCESTER	AFSCME	CUSTODIAN	S
GLOUCESTER	MTA	CLERICAL	O
GLOUCESTER	IND	NURSE	S
GLOUCESTER	AFSCME	CLERICAL	S
GRAFTON	SEIU	DISPATCHER	S
GREENFIELD	MTA	TEACHER	S
HADLEY	MTA	TEACHER	O
HANOVER	MTA	PROFESSIONAL	O
HANSON	MTA	AIDE	S
HATFIELD	MTA	TEACHER	O
HAVERHILL	TEAMSTERS	CRAFT	O
HAVERHILL	SEIU	RN	O
HAVERHILL	IND	ADMINISTRATOR	O
HAVERHILL	TEAMSTERS	ENGINEER	O
HAVERHILL	SEIU	CLERICAL	O
HAVERHILL	TEAMSTERS	WASTEPLANT	O
HAVERHILL	SEIU	MAINTENANCE	O
HAVERHILL	TEAMSTERS	WASTEPLANT	O
HINSDALE	UFCW	DPW	O
HOLDEN	MTA	TEACHERS	S
HOLLISTON	MFT	TEACHER	S
HOPKINTON	IND	CUSTODIAN	S
HUDSON	CWA	MAINTENANCE	O
HUNT MEMORIAL	MNA	RN	S
IPSWICH	AFSCME	LIGHTDEPT	O
KING PHILIP	MTA	TEACHER	O
KINGSTON	AFSCME	DRIVER	O
KINGSTON	AFSCME	CLERICAL	O
LEICESTER	SEIU	HIGHWAY	O
LEOMINSTER	MTA	TEACHER	S
LONGMEADOW	MTA	CLERICAL	S
LONGMEADOW	MTA	TEACHERS	S
LONGMEADOW	MTA	ADMINISTRATOR	S
LOWELL	MFT	TEACHER	S
LOWELL	SEIU	ADMINISTRATOR	O
LYNN	AFSCME	WATER	S
MANCHESTER	MTA	TEACHER	S
MANSFIELD	AFSCME	CUSTODIAN	O
MARBLEHEAD	MTA	ADMINISTRATOR	S
MASSPORT	NAGE	PARKING	S
MAYNARD	MTA	TEACHER	O

** S--SETTLED, F--SET. BY FF, R--SET. AFTER FF REPORT, O--OPEN **

EMPLOYER

UNION

BARGUNIT

DS**

MBTA	AFTPE	ENGINEER	S
MEDFORD	AFSCME	TRAFFIC	O
MELROSE	SEIU	CLERICAL	S
METHUEN	MTA	TEACHER	S
METHUEN	MTA	ADMINISTRATOR	S
MIDDLEBOROUGH	MTA	TEACHER	O
MIDDLEBOROUGH	MTA	TEACHER	O
MILBURY	SEIU	CUSTODIANS	S
MILFORD	IND	CLERICAL	S
MILFORD	MTA	TEACHER	S
MILLIS	AFSCME	CUSTODIAN	O
MILLIS	MTA	PROFESSIONAL	O
MOHAWK TRAIL	MTA	TEACHER	S
MONTACHUSETTS REG. DISTRICT	MTA	CUSTODIAN	S
MOUNT GREYLOCK	MTA	PROFESSIONAL	S
N. ATTLEBORO	MLDC	DPW	S
NEEDHAM	MTA	TEACHER	S
NORFOLK	AFSCME	CUSTODIAN	S
NORFOLK	AFSCME	ENGINEER	S
NORFOLK	MTA	TEACHER	O
NORTH ATTLEBORO	AFSCME	CLERICAL	S
NORTON	AFSCME	CLERICAL	O
NORTON	AFSCME	CLERICAL	S
NORWELL	IND	CUSTODIAN	S
NORWOOD	AFSCME	DPW	S
OLD COLONY	TEAMSTERS	TEACHERS	S
OXFORD	MTA	TEACHER	S
PEABODY	AFSCME	CLERICAL	S
PLYMOUTH	AFSCME	CAFETERIA	S
PLYMOUTH	AFSCME	CUSTODIAN	S
PLYMOUTH-CARVER	MTA	CLERICAL	S
PLYMOUTH	AFSCME	HIGHWAYDEPT	S
PLYMOUTH	NAGE	CLERICAL	S
PLYMOUTH	AFSCME	LIBRARY	S
PLYMOUTH	IBCO	CORRECTION	O
QUABOG	MTA	TEACHER	O
QUINCY	HLPE	AIDE	S
QUINCY	AFSCME	CLERICAL	O
QUINCY	IND	SECURITYGUARD	S
QUINCY	MNA	RN	S
QUINCY	IND	TRADE	S
RAYNHAM	MTA	TEACHER	O
READING	MTA	CLERICAL	S
ROCHESTER	MTA	PROFESSIONAL	S
S. BERKSHIRE	MTA	NURSE	S
S. HADLEY	MTA	TEACHER	O
SAUGUS	MTA	TEACHER	S
SCITUATE	SEIU	CLERICAL	O
SCITUATE	HLPE	CLERICAL	O
SCITUATE	MTA	TEACHER	O
SEEKONK	AFSCME	DPW	S
SHEFFIELD	AFSCME	HEALTH	O
SHIRLEY	MTA	TEACHER	S
SHREWSBURY	AFSCME	MAINTENANCE	O
SOMERSET	MTA	TEACHER	O
SOUTHWICK	MTA	TEACHER	S
SOUTHWICK	MTA	ADMINISTRATOR	S

** S--SETTLED, F--SET. BY FF, R--SET. AFTER FF REPORT, O--OPEN **

EMPLOYER	UNION	ANALYSIS BARGUNIT	DS**
SPENCER-E.BROOKFIELD	MTA	TEACHER	S
SPRINGFIELD	AFSCME	CLERICAL	O
STONEHAM	IND	CLERICAL	S
STURBRIDGE	MTA	TEACHER	S
SWANSEA	IND	TEACHER	S
TANTASQUA	MTA	CUSTODIAN	S
TEWKSBURY	MTA	TEACHER	S
TEWKSBURY	MTA	AIDE	S
TEWKSBURY	MTA	TEACHER	O
W.SPRINGFIELD	AFSCME	MAINTENANCE	S
WAKEFIELD	AFSCME	CLERICAL	S
WAKEFIELD	AFSCME	CLERICAL	S
WAKEFIELD	AFSCME	DPW	S
WAKEFIELD	IND	ENGINEER	O
WALPOLE	AFSCME	DPW	S
WALPOLE	MTA	AIDE	O
WALPOLE	AFSCME	CLERICAL	S
WEBSTER	AFSCME	CUSTODIAN	O
WELLESLEY	MTA	SECRETARY	S
WELLESLEY	IND	MAINTENANCE	O
WESTBOROUGH	AFSCME	CLERICAL	O
WESTBORO	MTA	TEACHER	O
WESTBOROUGH	AFSCME	CUSTODIAN	S
WESTPORT	IND	TEACHER	S
WESTPORT	AFSCME	CUSTODIAN	S
WESTPORT	AFSCME	DPW	S
WESTPORT	AFSCME	CLERICAL	S
WEYMOUTH	AFSCME	CLERICAL	S
WEYMOUTH	MTA	TUTOR	O
WHITMAN	AFSCME	CAFETERIA	S
WORCESTER	SEIU	PROFESSIONAL	S
WORCESTER	MTA	COUNSELOR	S
WORCESTER	MTA	TEACHER	S
WORCESTER	IND	NURSE	S
WORCESTER	IBCO	CORRECTION	S
WRENTHAM	MTA	TEACHER	S
=====	=====	=====	=====

** S--SETTLED, F--SET. BY FF, R--SET. AFTER FF REPORT, O--OPEN **

EMPLOYER	UNION	BARGUNIT	DS**
ABINGTON	MTA	TEACHER	S
ADAMS-CHESHIRE	MTA	TEACHER	S
AMESBURY	AFT	TEACHER	S
AMESBURY	AFSCME	CAFETERIA	S
ATTLEBORO	MTA	PROFESSIONAL	S
AVON	MTA	TEACHER	S
BEDFORD	MTA	PROFESSIONAL	S
BEVERLY	MTA	TEACHER	S
BOSTON	SEIU	RN	S
BOSTON	SEIU	DPW	S
BRIDGEWATER-RAYNHAM	MTA	TEACHER	S
BRIMFIELD	MTA	PROFESSIONAL	S
CAMBRIDGE	TEAMSTERS	ADMINISTRATOR	S
CHICOPEE	UFCW	ADMINISTRATOR	S
COHASSET	MTA	TEACHER	S
CONCORD-CARLISLE	MTA	DRIVER	S
DUDLEY-CHARLTON	MTA	PROFESSIONAL	S
DUKES	AFSCME	CORRECTION	S
DUXBURY	AFSCME	DISPATCHER	S
EVERETT	HLPE	LIBRARY	S
FALL RIVER	IND	ADMINISTRATOR	S
FRAMINGHAM	MTA	NURSE	S
GATEWAY	AFSCME	CLERICAL	S
GREENFIELD	IUE	CLERICAL	S
HALE	MNA	RN	S
HAMPDEN	AFSCME	COURTOFFICER	S
HOLBROOK	MTA	TEACHER	S
HULL	AFSCME	SEWER	S
HULL	AFSCME	DPW	S
HULL	AFSCME	PROFESSIONAL	S
LEOMINISTER	AFSCME	CUSTODIAN	S
LEOMINSTER	AFSCME	CUSTODIAN	S
LEOMINSTER	AFSCME	CUSTODIAN	S
LUNENBURG	MTA	TEACHER	S
MANSFIELD	AFSCME	DPW	S
MASHPEE	SEIU	DPW	S
MASHPEE	SEIU	CLERICAL	S
MBTA	IND	SECURITYGUARD	S
MBTA	OPEIU	PROFESSIONAL	S
MBTA	ATU	DRIVERS	O
METHUEN	MTA	TEACHER	S
NORFOLK	NAGE	CORRECTION	S
NORFOLK	AFT	TEACHER	S
NORTH ADAMS	MTA	AIDE	S
NORTHERN BERKSHIRE	MTA	TEACHER	S
PATHFINDER	MTA	TEACHER	S
PEABODY	IND	TRAFFIC	S
PEABODY	AFSCME	CLERICAL	S
PEMBROKE	AFSCME	DPW	S
PITTSFIELD	AFT	CAFETERIA	S
PLYMOUTH	AFSCME	NONPROFESSIONAL	S
PRINCETON	MTA	TEACHER	S
QUABBIN	MTA	TEACHER	S
QUABOAG	SEIU	CAFETERIA	S
QUINCY	MNA	RN	S
QUINCY	HLPE	AIDE	S
QUINCY	HLPE	CAFETERIA	S

** S--SETTLED, F--SET. BY FF, R--SET. AFTER FF REPORT, O--OPEN **

EMPLOYER	UNION	BARGUNIT	DS**
QUINCY	HLPE	CLERICAL	S
QUINCY	HLPE	LIBRARY	S
READING	MTA	TEACHER	S
RICHMOND	MTA	TEACHER	S
ROCKLAND	HLPE	TRAFFIC	S
ROCKPORT	AFSCME	MAINTENANCE	S
SALEM	AFT	TEACHER	S
SOMERVILLE	IND	NONSUPERVISOR	S
SOMERVILLE	IND	SUPERVISOR	S
SOUTH DEERFIELD	MTA	TEACHER	S
SOUTHBRIDGE	MTA	TEACHER	S
SPENCER	SEIU	DPW	S
STOUGHTON	MTA	TEACHER	S
STOUGHTON	MTA	ADMINISTRATOR	S
STOW	MTA	TEACHER	S
WALPOLE	MTA	TEACHER	S
WEST SPRINGFIELD	IND	HOSPITAL	S
WESTFIELD	MTA	NURSE	S
WESTWOOD	NAGE	CLERICAL	S
WOODS HOLE	TEAMSTERS	CLERICAL	S
WORCESTER	MLDC	CUSTODIAN	S
WORCESTER	MLDC	MECHANIC	S
=====	=====	=====	=====

** S--SETTLED, F--SET. BY FF, R--SET. AFTER FF REPORT, O--OPEN **





MASS. MA17.1: 986/987

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**BOARD of
CONCILIATION and ARBITRATION**

ONE HUNDRED
AND FIRST
ANNUAL REPORT

JULY 1, 1986 — JUNE 30, 1987

GOVERNMENT DOCUMENTS
COLLECTION

JUL 11 1988

University of Massachusetts
Depository Copy

Michael S. Dukakis
Governor

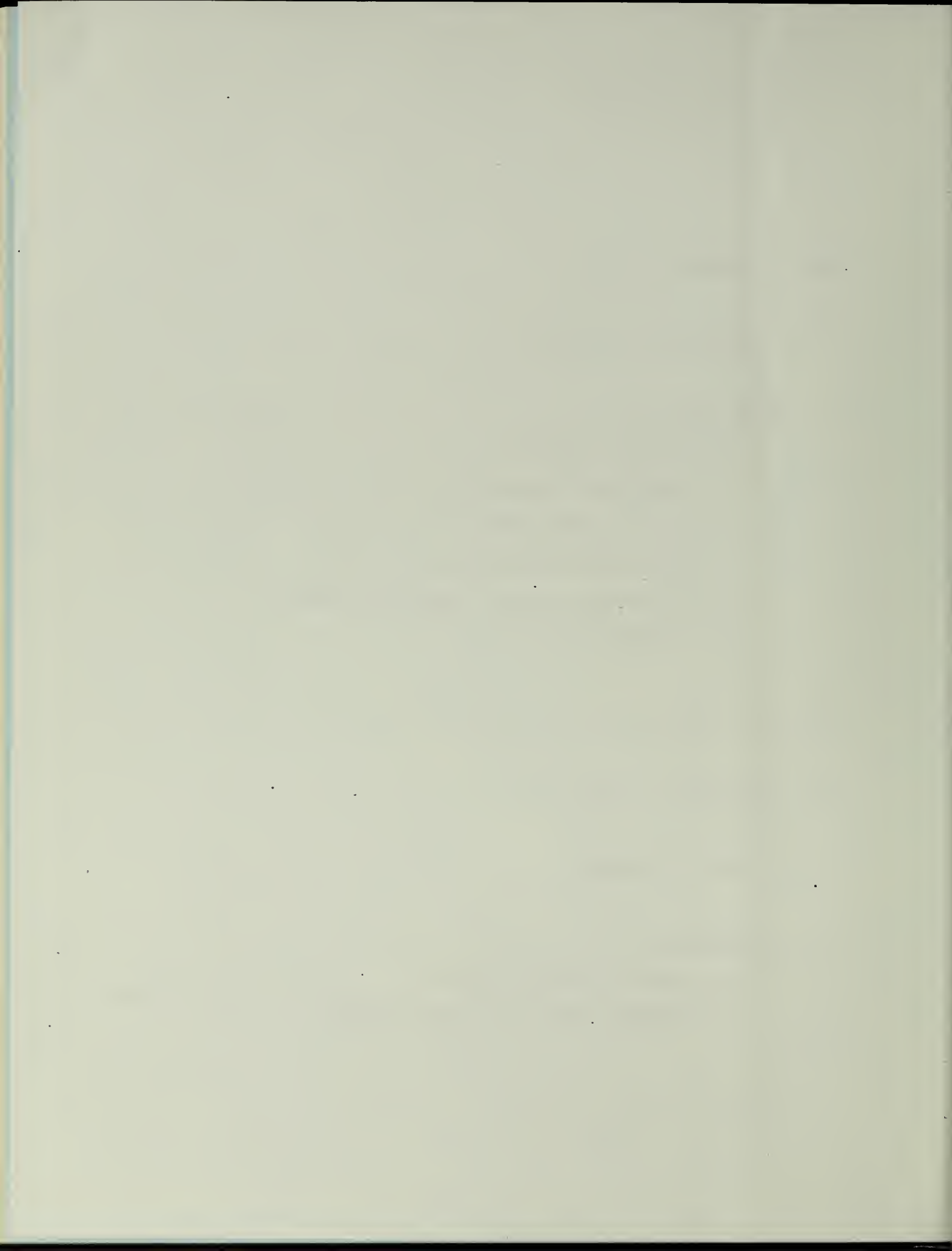
Diane Zaar Cochran
Chairman

THE COMMONWEALTH OF MASSACHUSETTS



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I. THE BOARD AND ITS MISSION

The Board of Conciliation and Arbitration is an independent, quasi-judicial agency within the Executive Office of Labor. The oldest state labor arbitration agency in the country, the Board strives to take the lead in creating and maintaining labor peace while preserving the traditions that are a vital force in the Commonwealth's current atmosphere of harmony, productivity, progress and enlightenment.

The Board's mission is mandated in Chapter 23C of the Massachusetts General Laws which provides:

§ 1. Declaration of Policy

It is hereby declared to be the public policy of this state that the best interests of the people of the state are served by the prevention or prompt settlement of labor disputes; and it shall be the responsibility and objective of the board of conciliation and arbitration to take such steps as will most effectively and expeditiously encourage the parties to a labor dispute to agree on the terms of a settlement or to agree on the method and procedure which shall be used to resolve a dispute.

The Board has set several long term goals in keeping with its mission. These include ensuring the continued quality and effectiveness of its impasse resolution services, increasing public awareness and use of agency services, developing and implementing an automated case management and information system and increasing efforts to develop joint labor-management committees or other employer-employee forums in accordance with its statutory mandate. To these ends, the services the Board provides (outlined below) are continually being refined and upgraded.

Hundreds of labor unions and employers (involving thousands of employees and virtually every political subdivision in the state) have sought Board assistance during the past year. These services include: (1) interest mediation, mediation of disputes arising out of contract negotiations; (2) preventive mediation, conciliation of potentially disruptive situations; (3) grievance mediation, prehearing conciliation of grievance arbitration cases; (4) grievance arbitration, the final and binding hearing and decision on disputes arising under collective bargaining agreements; (5) unfair labor practice mediation, mediation of cases referred by the Labor Relations Commission; (6) community education, educational outreach through participation in state, regional and national labor relations education programs, Board sponsored programs for labor and management, and speaking before the general public.

II. BOARD SERVICES

A. Interest Mediation

The Board provides professional mediators to assist public and private sector employers and labor unions in resolving disputes arising out of contract negotiations. As part of its duties under M.G.L. c.150E, the Board also maintains a panel of neutrals to provide fact-finding for those few public sector disputes which require a second level of resolution. In addition, the Joint Labor-Management Committee, which oversees collective bargaining and impasses for municipal police and firefighters, has requested Board mediation of its cases.

The Board's interest mediation work accounts for about half of its present caseload. The importance of preventing workplace disruptions is the primary basis for the priority the Board gives to this program. Having been involved in preserving harmony in the workplace for the last 100 years, the Board is committed to averting the economic harm to the Commonwealth that could result if labor disputes were not promptly settled. Employers, employees, unions, local communities, and ultimately the Commonwealth, all benefit from the prevention of or speedy settlement of collective bargaining disputes.

Interest mediation is used extensively by state, county, and municipal governments, health care institutions, schools, and housing and transportation authorities. (See Appendix A) This service constitutes a form of local aid because it is provided at no cost to the parties involved.

Private sector labor disputes can also have a significant negative impact on the Massachusetts economy. The Board assists this sector by offering mediation directly to the disputing parties and by making its staff available to work with mediators from the Federal Mediation and Conciliation Service. Twelve private sector cases were resolved with Board assistance during the past fiscal year in the manufacturing, education, utility, communication, transportation and healthcare industries.

The following chart shows that of 273 public sector contractual disputes open in FY87, 82% were resolved by the Board through mediated settlements. Thirty-seven of the 48 cases remaining open at the close of FY87 were filed during the last two months of the fiscal year. These disputes were

resolved near the beginning of FY88, just as 68 disputes from FY86 were resolved during early FY87. Of the resolved disputes, 149 were settled in mediation, the first level of dispute resolution; the remaining eight settlements were by fact finders at the second stage of resolution. The one case in arbitration is an MBTA dispute which proceeded to binding interest arbitration in accordance with the requirements of M.G.L. c.161 § 19d.

PUBLIC SECTOR INTEREST MEDIATION REQUESTS

TOTAL DISPUTES RECEIVED IN FY87.....	190
FY87 SETTLED IN FY87.....	157
SETTLED IN MEDIATION.....	155
SETTLED BY FF.....	2
FY87 OPEN IN FY88.....	33
(RECEIVED LAST 2 MONTHS OF FY87.....)	54
IN ARBITRATION.....	1
IN FACT-FINDING.....	6
IN MEDIATION.....	26
FY86 SETTLED IN FY87.....	68
SETTLED IN MEDIATION.....	62
SETTLED BY FF.....	6
FY86 OPEN IN FY88.....	3
TOTAL DISPUTES RESOLVED IN FY87.....	225

The Board's mediation staff has earned its excellent reputation not only from its extraordinarily high rate of mediated settlements in the Commonwealth, but also by

maintaining a high level of professionalism and dedication.

B. Preventive Mediation

The Board's preventive mediation program was formed to encourage parties coming before it to settle their differences voluntarily and informally. Since the program has operated so successfully over the years, parties have become fully aware of the advantages of forming and maintaining cooperative relationships. They frequently ask mediators to assist in discussions of issues which might cause grievances to arise or which are not resolvable through their contractual grievance procedure. These efforts have succeeded in cutting the number of formal grievances filed with the Board substantially.

The company or the union requests that the mediator meet informally with employees who had problems with some aspect of their work. The mediator would then meet with company representatives. In the majority of disputes adjustments are made which eliminate the need for filing a formal grievance. Even though resolution of the individual problem may not always be possible, the cooperative efforts of the employer and employees creates long-lasting avenues of communication.

The Board's mediation process is informal and confidential (passage of the Board sponsored mediator confidentiality legislation, c.150 and c.150E, Section 9, formalized this policy). Parties may freely disclose the essence of their disputes to the mediator without fear of jeopardizing their case should the dispute proceed to arbitration. They frequently agree on new procedures or resolutions to suit the needs of the particular dispute. Preventive mediation allows the parties to

avoid detrimental precedents while practicing effective dispute resolution.

C. Grievance Mediation

Grievance mediation is offered to all parties appearing for Board grievance arbitration. In most cases, it is conducted on the day the arbitration hearing is scheduled. However, where records show an above average number of petitions for grievance arbitration in a particular bargaining unit, the Board offers on-site mediation prior to the scheduled hearing. Staff members never serve as both mediator and arbitrator of the same dispute and the mediator is prohibited from discussing the grievance in the interest of preserving confidentiality.

The Board also mediates grievances for parties who use other forums for arbitration. For instance, some parties' collective bargaining agreements require that arbitrators be chosen from specific panels such as the American Arbitration Association (AAA). Prior to paying for the services of a private arbitrator and risking a loss to one of the parties through a binding decision, Board mediation is requested. It is widely recognized in the labor relations community that the Board's 82% success rate (an average of 84% over the last three years) is the best record in the nation for this type of program.

OUTSIDE GRIEVANCE MEDIATION REQUESTS

FY87 REQUESTS.....	90
SETTLEMENTS.....	74
RATE.....	82%

FY86 REQUESTS.....131
SETTLEMENTS.....113
RATE.....86%
FY85 REQUESTS.....61
SETTLEMENTS.....51
RATE.....84%

The most attractive quality of voluntary grievance mediation is its potential win/win outcome. Settlement is much more attractive to parties who are familiar with the win/lose aspects of arbitration awards. Grievance mediation has broken the pattern of accumulating or recurring grievances many parties have experienced and has promoted the practice of mature collective bargaining. During FY87 the Board mediated 136 grievances, 97 or 71% of which were settled through the process. It is clear from the demand for this service that grievance mediation will continue to constitute a major share of Board activity.

GRIEVANCE MEDIATION REQUESTS

FY87 REQUESTS.....136
SETTLEMENTS.....97
RATE.....71%
FY86 REQUESTS.....175
SETTLEMENTS.....167
RATE.....95%
FY85 REQUESTS.....132
SETTLEMENTS.....96

RATE.....73%
FY84 REQUESTS.....79
SETTLEMENTS.....53
RATE.....67%

D. Grievance Arbitration

By voluntary petition of the parties, Board arbitrators hold evidentiary hearings and take arguments in disputes involving the interpretation of collective bargaining agreements. The arbitrator then issues a written decision containing an award which is final and binding upon the parties.

Grievance arbitration is utilized by a statewide constituency of management and union labor relations representatives for a variety of entities in the Commonwealth including state government itself, hospitals, fish packing and produce companies, municipal departments of public works, police departments, fire departments, manufacturers, counties, trucking firms and school systems, among many others. (See Appendix B) Public sector disputes continue to comprise about half of the grievance arbitration requests received.

Many of the grievances cited in petitions for Board arbitration are settled before reaching the hearing stage. Disputes may settle without a hearing if: parties have second thoughts and unilaterally withdraw the petition, parties meet informally and reach an accord, or parties meet with a Board mediator and settle the issue in grievance mediation. Since the Board and many of the parties are strongly committed to grievance mediation, Board mediators strive to resolve potential

arbitrations through this mechanism. (See Part C. Grievance Mediation)

The Board resolved a total of 141 grievances in FY87; 87 from FY87 and 54 from FY86. Sixty-four percent (90) of this total were resolved through a mediated settlement; 36% (51) by an arbitrator's decision. Of the 74 open FY87 arbitrations, 24% (18) were heard in FY87 with decisions written early in FY88; 28% (21) had not reached their scheduled hearing date; and 18% (13) were not scheduled for hearing in FY87. Forty-two percent (31) of the open FY87 arbitrations were filed during the last two months of FY87.

GRIEVANCE ARBITRATION REQUESTS

TOTAL ARBITRATIONS RECEIVED IN FY87.....	161
PUBLIC SECTOR.....	71
PRIVATE SECTOR.....	90
FY87 ARBITRATIONS RESOLVED IN FY87.....	87
FY87 SETTLED IN FY87.....	66
FY87 DECISIONS IN FY87.....	21
FY86 ARBITRATIONS RESOLVED IN FY87.....	54
FY86 SETTLED IN FY87.....	24
FY86 DECISIONS IN FY87.....	30
FY87 OPEN ARBITRATIONS.....	74
(RECEIVED LAST 2 MONTHS FY87.....)	31
FY86 OPEN ARBITRATIONS.....	6
TOTAL ARBITRATIONS RESOLVED.....	141

E. MEDIATION OF UNFAIR LABOR PRACTICES

Chapter 351 of the Acts of 1981 amended Section 11 of

Chapter 150E of the General Laws, authorizing the Labor Relations Commission to refer certain unfair labor practice cases to the Board for mediation prior to submission to the Commission's decision-making process. In the past, these cases have been successfully mediated, resulting in the withdrawal of the unfair labor practice charge pending before the Labor Relations Commission.

F. COMMUNITY EDUCATION

One of the Board's long-term goals is to increasing awareness of the agency and its services. To that end, Nancy Peace, a Board Mediator/ Arbitrator, has been designated as Education Officer for the agency. The Board's aim is to develop and implement the following: an information and training program to teach labor and management about the Board's grievance mediation service, educate supervisors and union stewards about contract administration, conduct joint labor management training programs for public sector groups and private sector groups not served by the Federal Mediation and Conciliation Service, co-sponsor education programs with other agencies and investigate the need for other programs. The Education Officer plans to hold an initial training session at the Board's new Springfield office. This approach will have the two-fold result of introducing the Board to its constituents in the Western part of the state as well as identifying and educating potential patrons.

Board staff assisted a Lesley College graduate student, Cathy Hall, in conducting research to determine the

applicability of voluntary grievance mediation. Research Coordinator, Marilyn Hilliard, consulted with Ms. Hall in designing survey questionnaires, disseminated the surveys, answered questions from respondents, prepared and mailed correspondence and researched and provided Ms. Hall with data pertinent to her project. The thesis will be completed in 1988 and will be made available to the public by the Board.

Representatives from the Connecticut Department of Labor spent two days at the Board to learn about computerized case tracking and record-keeping. Their agency is developing methods to transfer its huge backlog of cases to a computer system. The visitors were pleased with the results of the sessions and wrote to us that they were also able to learn ways to swiftly diminish a backlog which had been steadily growing for some time.

III. BOARD STAFF

The opening of the Board's Springfield office has meant additional growth for the Board's professional staff. The search for qualified labor neutrals was highly successful. Nicholas Marshall, a former labor relations representative for several public sector employers, is now in residence at the new office as a Mediator/Arbitrator. In the Boston office, Arnold Marrow, recently retired as a Supervising Attorney from the National Labor Relations Board, joined the Board's Mediator/Arbitrator staff. Paul Connolly, previously President and Business Agent for the Boston Carmen's Union and a Vice President of the AFL-CIO, came on Board as a Mediator, replacing

Stevens Day. Mr. Day is now Executive Director of the Advisory Board for the Department of Industrial Accidents. Beverly Bradway, a former Office Manager and Social Worker for the Department of Welfare, was hired as Administrative Assistant. The Board's former Administrative Assistant, Lynette Fields, became Director of Administrative Services for the Department of Labor and Industries.

<u>Chairman:</u>	Diane Zaar Cochran
<u>Vice Chairman:</u>	Michael C. Ryan
<u>Mediator/Arbitrators:</u>	Sarah Garraty Marsha Hunter Elliot Klitzman Arnold Marrow Nicholas Marshall Nancy Peace
<u>Mediators:</u>	Paul Connolly Walter Diehl George Fitzpatrick James Leydon John Mark
<u>Research Coodinator:</u>	Marilyn Hilliard
<u>Administrative Assistant:</u>	Beverly Bradway

IV. HIGHLIGHTS OF FY87

In an unusual case, the Labor Relations Commission (LRC) ordered the teachers of the City of Worcester's Vocational Education institutions not to carry out a strike which had been openly declared weeks in advance. Board Mediator, George Fitzpatrick, had been meeting with the parties for three months. He certified the dispute for fact-finding a week prior to the LRC's order.

In an apparent attempt to break a pattern of settlement of bargaining agreements months after contract expirations, the Worcester Vocational Teachers Association went on strike in defiance of the LRC order. Board Vice Chairman, Michael C. Ryan, joined Mediator Fitzpatrick at the eleventh hour in an attempt to stave off the strike with renewed mediation. The parties' differences were so great, however, that it took a week of constant mediation before an agreement was reached and the strike was settled.

The Wakefield sub-station operators staged a one-day sick-out at the Wakefield Light Department in March of 1987. The dispute concerned the amount of retroactive pay that was due the Union in settlement of a contract which had expired twenty-one months earlier. Marsha Hunter was assigned to mediate. Ms. Hunter successfully brought the dispute to settlement in July of 1987.

Another one-day sick-out occurred at Northeast Metropolitan Regional Vocational School. The Northeast Teachers Association was dissatisfied with the progress of their negotiations for a contract which had expired August 31, 1986. Marsha Hunter went in to mediate the disputes over wages and various language issues. After several sessions settlement was reached in December, 1986.

V. FUTURE DIRECTIONS

The Board plans to develop a program to assess and respond to current and future client needs. Members of the staff are

now designing a system and materials to allow patrons to communicate to us how we can serve them better. The in-depth study will be carried out over several months to insure a full spectrum of participation. Once a complete assessment has been done, it is our intention to revamp our services accordingly.

Another goal now being completed is total computerization of our case tracking, record keeping and retrieval, and statistics gathering systems. Plans are in the works to bring in consultants from agencies similar to ours which have installed such systems and have had great success with their use. This plan is another step in our goal to increase our effectiveness and efficiency which in turn allows us to meet the growing demand for Board services within the constraints of our budget.

The Board looks forward to taking whatever steps are needed to expeditiously and effectively serve the parties coming to us for assistance. We intend to continually be prepared to make changes and offer new services when there is a call for them by our constituents.

1987 ARBITRATION CASE ANALYSIS

EMPLOYER	UNION	PUB/PRIV	DS**
150 TRUST	SEIU	PRIVATE	S
ALDEN CORRUGATED CONTAINER	UPIU	PRIVATE	O
ALDEN CORRUGATED CONTAINER	UPIU	PRIVATE	O
AMERICAN FLEXIBLE CONDUIT	TEAMSTERS	PRIVATE	D
AMERICAN FLEXIBLE CONDUIT	TEAMSTERS	PRIVATE	D
AMERICAN FLEXIBLE CONDUIT	TEAMSTERS	PRIVATE	O
AMERICAN FLEXIBLE CONDUIT	TEAMSTERS	PRIVATE	S
AMERICAN FLEXIBLE CONDUIT	TEAMSTERS	PRIVATE	S
AUBURN	TEAMSTERS	PUBLIC	O
AUBURN	TEAMSTERS	PUBLIC	O
AUBURN	USWA	PUBLIC	S
AYER	AFSCME	PUBLIC	O
BFI	TEAMSTERS	PRIVATE	D
BFI	TEAMSTERS	PRIVATE	S
BFI	TEAMSTERS	PRIVATE	S
BFI	TEAMSTERS	PRIVATE	S
BILLERICA	IAFF	PUBLIC	S
BILLERICA	IAFF	PUBLIC	S
BILLERICA	IAFF	PUBLIC	S
BIXBY INTERNATIONAL	ACTWU	PUBLIC	O
BIXBY INTERNATIONAL	ACTWU	PRIVATE	S
BOSTON	AFSCME	PUBLIC	S
BOSTON	AFSCME	PUBLIC	O
BOXFORD	IND	PUBLIC	O
BRAINTREE	UWA	PUBLIC	O
BRIDGEWATER	IAFF	PUBLIC	O
BROWNING-FERRIS INDUSTRIES	TEAMSTERS	PRIVATE	S
BROWNING-FERRIS INDUSTRIES	TEAMSTERS	PRIVATE	D
BTL SPECIALITY RESINS	OCAW	PRIVATE	S
BTL SPECIALTY RESINS	OCAW	PRIVATE	O
BURLINGTON	IAFF	PUBLIC	D
C & S SAND & GRAVEL	TEAMSTERS	PRIVATE	O
C & S SAND & GRAVEL	TEAMSTERS	PRIVATE	O
CAMBRIDGE	MTA	PUBLIC	S
CANTEEN CO	TEAMSTERS	PRIVATE	O
CHARLES LEE DISPOSAL	TEAMSTERS	PRIVATE	D
CHARLES LEE DISPOSAL	TEAMSTERS	PRIVATE	D
CHARLES LEE DISPOSAL	TEAMSTERS	PRIVATE	O
CHARLES LEE DISPOSAL	TEAMSTERS	PRIVATE	O
CHARLES LEE DISPOSAL	TEAMSTERS	PRIVATE	S
CHARLES LEE DISPOSAL	TEAMSTERS	PRIVATE	S
CHARLES LEE DISPOSAL	TEAMSTERS	PRIVATE	S
CHELSEA	IAFF	PUBLIC	O
CHELSEA	IAFF	PUBLIC	O
CHICOPEE	IBPAT	PUBLIC	S
COCA COLA	TEAMSTERS	PRIVATE	D
COCA COLA	TEAMSTERS	PRIVATE	S
CONCORD	IAFF	PUBLIC	S
CORENCO CORP	TEAMSTERS	PRIVATE	O
COSTA FOOD SERVICES	TEAMSTERS	PRIVATE	D
COSTA FOOD SERVICES	TEAMSTERS	PRIVATE	S
DANVERS	MTA	PUBLIC	O
DANVERS	MTA	PUBLIC	O
EAST BRIDGEWATER	NAGE	PUBLIC	O
ESSEX COUNTY	AFSCME	PUBLIC	O
ESSEX COUNTY	AFSCME	PUBLIC	O
ESSEX COUNTY	AFSCME	PUBLIC	S

1987 ARBITRATION CASE ANALYSIS

EMPLOYER	UNION	PUB/PRIV	DS**
EVERETT	MTA	PUBLIC	O
EVERETT	MTA	PUBLIC	O
EVERETT	MTA	PUBLIC	O
FALL RIVER	TEAMSTERS	PUBLIC	D
FITCHBURG	SEIU	PUBLIC	S
FOSS MANUFACTURING	TEAMSTERS	PRIVATE	O
FOXBOROUGH	MTA	PUBLIC	O
FRITO-LAY	TEAMSTERS	PRIVATE	S
FRITO-LAY	TEAMSTERS	PRIVATE	S
GSX	TEAMSTERS	PRIVATE	D
GSX	TEAMSTERS	PRIVATE	D
GSX	TEAMSTERS	PRIVATE	O
GSX	TEAMSTERS	PRIVATE	O
GSX	TEAMSTERS	PRIVATE	O
GSX	TEAMSTERS	PRIVATE	O
GSX	TEAMSTERS	PRIVATE	S
GSX	TEAMSTERS	PRIVATE	S
GSX	TEAMSTERS	PRIVATE	S
GSX	TEAMSTERS	PRIVATE	S
GSX	TEAMSTERS	PRIVATE	S
GSX	TEAMSTERS	PRIVATE	S
GSX	TEAMSTERS	PRIVATE	S
HARRIET TRANSPORT	TEAMSTERS	PRIVATE	S
HAVERHILL	TEAMSTERS	PUBLIC	D
HAVERHILL	SEIU	PUBLIC	O
HAVERHILL	SEIU	PUBLIC	S
HAVERHILL	TEAMSTERS	PUBLIC	S
HERTZ CORP	TEAMSTERS	PRIVATE	O
HERTZ CORP	TEAMSTERS	PRIVATE	S
HERTZ CORP	TEAMSTERS	PRIVATE	S
HERTZ CORP	TEAMSTERS	PRIVATE	S
HINSDALE	UFCW	PUBLIC	O
HUDSON	MTA	PUBLIC	S
HULL	IBPO	PUBLIC	O
LIQUID CARBONIC	TEAMSTERS	PRIVATE	D
LIQUID CARBONIC	TEAMSTERS	PRIVATE	O
LIQUID CARBONIC	TEAMSTERS	PRIVATE	S
LIQUID CARBONIC	TEAMSTERS	PRIVATE	S
LOWELL	SEIU	PRIVATE	O
LOWELL	SEIU	PUBLIC	O
LOWELL	IUE	PUBLIC	S
M & L PLASTICS	IUE	PRIVATE	S
MARITIME TERMINAL	TEAMSTERS	PRIVATE	D
MEDFORD	NAGE	PUBLIC	D
MERRIMACK VALLEY AREA TRANS	TEAMSTERS	PRIVATE	O
MERRIMACK VALLEY AREA TRANS	TEAMSTERS	PRIVATE	O
MERRIMACK VALLEY AREA TRANS	TEAMSTERS	PRIVATE	S
METHUEN	MTA	PUBLIC	O
MILTON	MTA	PUBLIC	S
MONSON	IND	PUBLIC	O
MORANE LABOR LEASING	TEAMSTERS	PRIVATE	S
NEWTON	AFSCME	PUBLIC	O
NORTHEAST METROPOLITAN	MTA	PUBLIC	O
NORTHFIELD	MTA	PUBLIC	O
O.R. COTE	TEAMSTERS	PRIVATE	O
O.R. COTE	TEAMSTERS	PRIVATE	O
OHIO-SEALY MATTRESS	USW	PRIVATE	O
OXFORD PICKLE CO	BCTWU	PRIVATE	O
PARAGON RUBBER	IUE	PRIVATE	S

1987 ARBITRATION CASE ANALYSIS

EMPLOYER	UNION	PUB/PRIV	DS**
PIONEER VALLEY	MTA	PUBLIC	S
QUABOAG	MTA	PUBLIC	S
QUINCY	AFSCME	PUBLIC	O
QUINCY	HLPE	PUBLIC	O
RANDOLPH-HOLBROOK	IUE	PUBLIC	O
ROURKE-ENO PAPER	TEAMSTERS	PRIVATE	S
SAFEWAY SIGN	IBPAT	PRIVATE	O
SALISBURY	IBPO	PUBLIC	D
SEIU, LOCAL 285	IND	PRIVATE	O
SEIU, LOCAL 285	IND	PRIVATE	S
SHARON	AFSCME	PUBLIC	O
SONOCO PRODUCTS	TEAMSTERS	PRIVATE	S
SPENCER	IND	PUBLIC	D
STERLING	TEAMSTERS	PUBLIC	O
STEWART SANDWICHES	TEAMSTERS	PRIVATE	S
STRIDE RITE	UFCW	PRIVATE	S
STURBRIDGE	MTA	PUBLIC	O
SWANSEA	AFSCME	PUBLIC	O
TEWKSBURY	IBPO	PUBLIC	O
TEWKSBURY	IBPO	PUBLIC	O
TEWKSBURY	IBPO	PUBLIC	O
TEWKSBURY	IBPO	PUBLIC	O
TOURAINÉ PAINT	OCAW	PRIVATE	O
TRANSGAS	TEAMSTERS	PRIVATE	O
TRANSGAS	TEAMSTERS	PRIVATE	O
TRANSGAS	TEAMSTERS	PRIVATE	S
TRANSGAS	TEAMSTERS	PRIVATE	S
TRANSGAS	TEAMSTERS	PRIVATE	S
UNIFIRST	LDCIU	PRIVATE	S
UXBRIDGE	MCOP	PUBLIC	O
VICON RECOVERY ASSOCIATES	TEAMSTERS	PRIVATE	D
WALPOLE	MCOP	PUBLIC	S
WALTHAM CHEMICAL	OCAW	PRIVATE	S
WASTE MANAGEMENT	TEAMSTERS	PRIVATE	D
WASTE MANAGEMENT	TEAMSTERS	PRIVATE	S
WASTE MANAGEMENT	TEAMSTERS	PRIVATE	S
WEBSTER	AFSCME	PUBLIC	O
WEST SPRINGFIELD	IBPO	PUBLIC	D
WEST SPRINGFIELD	IBPO	PUBLIC	O
WESTFIELD WOODWORKING	UBCJA	PRIVATE	O
WESTPORT	AFSCME	PUBLIC	O
WESTPORT	AFSCME	PUBLIC	O
WILLIAMS DISTRIBUTING	TEAMSTERS	PRIVATE	S
WILLIAMS DISTRIBUTING	TEAMSTERS	PRIVATE	S
WOBURN	NAGE	PUBLIC	S
WORCESTER	SEIU	PUBLIC	O
WYETH LABORATORIES	TEAMSTERS	PRIVATE	S
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1986 ARBITRATION CASE ANALYSIS

EMPLOYER	UNION	PUB/PRIV	DS**
ATHOL	MTA	PUBLIC	D
BOSTON	AFSCME	PUBLIC	D
BOSTON	AFSCME	PUBLIC	S
BRAINTREE	UWA	PUBLIC	S
BRAINTREE	UWA	PUBLIC	S
BRAINTREE	UWA	PUBLIC	S
BRAINTREE	UWA	PUBLIC	S
CHICOPEE	VFCW	PUBLIC	D
DANVERS	MTA	PUBLIC	O
DIGHTON	AFSCME	PUBLIC	D
DIGHTON	AFSCME	PUBLIC	D
EAST BRIDGEWATER	MTA	PUBLIC	S
ESSEX COUNTY	AFSCME	PUBLIC	D
ESSEX COUNTY	AFSCME	PUBLIC	D
ESSEX COUNTY	AFSCME	PUBLIC	S
ESSEX COUNTY	TEAMSTERS	PUBLIC	D
FOREST HILLS CEMETERY	OCAW	PRIVATE	D
FOSS MANUFACTURING	TEAMSTERS	PRIVATE	S
FOSS MANUFACTURING	TEAMSTERS	PRIVATE	D
FOXBOROUGH	MTA	PUBLIC	D
FRIONOR KITCHENS	TEAMSTERS	PRIVATE	D
FRITO-LAY	TEAMSTERS	PRIVATE	D
FRITO-LAY	TEAMSTERS	PRIVATE	D
FRITO-LAY	TEAMSTERS	PRIVATE	D
GSX	TEAMSTERS	PRIVATE	D
GSX	TEAMSTERS	PRIVATE	S
GSX	TEAMSTERS	PRIVATE	S
GSX	TEAMSTERS	PRIVATE	S
HAVERHILL	TEAMSTERS	PUBLIC	S
HAVERHILL	SEIU	PUBLIC	S
HAVERHILL	TEAMSTERS	PUBLIC	S
HAVERHILL	TEAMSTERS	PUBLIC	S
HULL	IBPO	PUBLIC	S
HULL	IBPO	PUBLIC	S
LAWRENCE	AFSCME	PUBLIC	S
LIQUID CARBONIC	TEAMSTERS	PRIVATE	D
LOGAN AIRPORT HILTON	TEAMSTERS	PRIVATE	D
MASSACHUSETTS	AFSCME	PUBLIC	D
MASSACHUSETTS	AFSCME	PUBLIC	S
MERRIMACK VALLEY AREA TRANS	TEAMSTERS	PRIVATE	D
METHUEN	MTA	PUBLIC	D
MORANE LABOR LEASING	TEAMSTERS	PRIVATE	D
NATIONAL CAR RENTAL	TEAMSTERS	PRIVATE	D
NORTHEAST	MTA	PRIVATE	S
NORTHEAST	MTA	PUBLIC	D
O.R. COTE	TEAMSTERS	PRIVATE	D
OLD WORTHEN CAFE	HRWB	PRIVATE	O
REVERE	IND	PUBLIC	O
REVERE	IND	PUBLIC	O
SEEKONK	AFSCME	PUBLIC	D
SPINCRAFT-MASS	TEAMSTERS	PRIVATE	D
SPRINGFIELD	AFSCME	PUBLIC	S
SPRINGFIELD	IBPO	PUBLIC	D
TEWKSBURY	IBPO	PUBLIC	S
TEWKSBURY	IBPO	PUBLIC	S
WESTPORT	AFSCME	PUBLIC	D

1986 ARBITRATION CASE ANALYSIS

EMPLOYER	UNION	PUB/PRIV	DS**
WORCESTER	SEIU	PUBLIC	D
WORCESTER	SEIU	PUBLIC	O
WORCESTER	SEIU	PUBLIC	O
WORCESTER	SEIU	PUBLIC	S
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** DS--DISPOSITION, D--DECISION, S--SETTLED, O--OPEN ** Page 19

1987 PUBLIC SECTOR CASE ANALYSIS

EMPLOYER	UNION	BARGUNIT	DS**
ACUSHNET	MTA	TEACHER	S
AGAWAM	MTA	TEACHER	S
AMESBURY	SEIU	PROFESSIONAL	S
AMESBURY	SEIU	NONPROFESSIONAL	S
ANDOVER	MTA	ADMINISTRATOR	S
ARLINGTON	MTA	TEACHER	S
ATHOL-ROYALSTON	MTA	TEACHER	O
ATHOL-ROYALSTON	MTA	TEACHER	O
ATTLEBORO	HLPE	LIBRARY	S
ATTLEBORO	MTA	PROFESSIONAL	S
BARNSTABLE	1199	AIDE	S
BARNSTABLE	MTA	SECRETARY	S
BARNSTABLE	SEIU	NURSE	S
BARNSTABLE	UAW	REGISTRAR	S
BARRINGTON	AFSCME	DPW	S
BELLINGHAM	MTA	PROFESSIONAL	S
BELMONT	AFSCME	CAFETERIA	S
BELMONT	IBEW	LIGHTDEPT	S
BERKSHIRE	AFSCME	SURVEYOR	S
BERKSHIRE	SEIU	CLERICAL	O
BERKSHIRE	SEIU	GUARD	S
BEVERLY	MTA	TEACHER	S
BLACKSTONE	AFSCME	DISPATCHER	O
BLACKSTONE	AFSCME	DRIVER	S
BLACKSTONE-MILVILLE	MTA	CUSTODIAN	S
BOARD OF REGENTS	MCOP	HEALTH	S
BOARD OF REGENTS	MTA	PROFESSIONAL	O
BOARD OF REGENTS	SEIU	PROFESSIONAL	S
BOSTON	AFSCME	CAFETERIA	S
BOSTON	AFT	ADMINISTRATOR	S
BOSTON	IND	CUSTODIAN	O
BOSTON	IND	PATROLMAN	S
BOSTON	IND	DPW	S
BOSTON	MTA	SUPERVISOR	S
BOSTON	SEIU	CLERICAL	O
BOSTON	SEIU	NURSE	S
BOURNE	AFSCME	CUSTODIAN	S
BOYLSTON	MTA	TEACHER	S
BRAINTREE	UWA	WATER	S
BRIDGEWATER	AFSCME	CUSTODIAN	O
BRIDGEWATER	MTA	TEACHER	S
BRIDGEWATER	MTA	SECRETARY	S
BRISTOL-PLYMOUTH	MTA	TEACHER	O
BROCKTON	IND	CLERICAL	S
BROCKTON	MTA	TEACHER	S
BROCKTON	MTA	AIDE	S
BROCKTON	SEIU	SECRETARY	S
BROOKLINE	MTA	NURSE	S
CAMBRIDGE	MFT	FACULTY	S
CAMBRIDGE	SEIU	LABORER	S
CANTON	MTA	TEACHER	S
CARVER	AFSCME	DISPATCHER	O
CARVER	AFSCME	HIGHWAY	S
CENTRAL BERKSHIRE	IND	TEACHER	S
CHELMSFORD	MTA	SECRETARY	S
CHELSEA	TEAMSTERS	WATER	S
CONCORD-CARLISLE	MTA	CLERICAL	S

1987 PUBLIC SECTOR CASE ANALYSIS

EMPLOYER	UNION	BARGUNIT	DS**
DANVERS	MTA	TEACHER	S
DANVERS	MTA	TEACHER	S
DARTMOUTH	IND	CLERICAL	O
DEDHAM	AFSCME	CUSTODIAN	S
DEDHAM	IND	LIBRARY	S
DEDHAM	MTA	ADMINISTRATOR	S
DENNIS	AFSCME	CLERICAL	S
DRACUT	AFSCME	CUSTODIAN	S
DUKES COUNTY	AFSCME	CORRECTION	S
EASTHAMPTON	AFSCME	DPW	O
EASTON	AFSCME	DPW	S
EVERETT	HLPE	LIBRARY	S
EVERETT	IBEW	INSPECTOR	O
FALL RIVER	MTA	TEACHER	S
FITCHBURG	AFSCME	MAINTENANCE	S
FOXBOROUGH	MTA	TEACHER	S
FRANKLIN	AFSCME	CLERICAL	S
FRANKLIN	AFSCME	CRAFT	S
FREETOWN-LAKEVILLE	MTA	NURSE	S
GATEWAY	MTA	TEACHER	O
GLOUCESTER	AFSCME	MUNICIPAL	S
GREATER LOWELL	MTA	TEACHER	S
GREATER NEW BEDFORD	TEAMSTERS	ENGINEER	S
HAMPDEN	AFSCME	CORRECTION	O
HARVARD	MTA	TEACHER	S
HINGHAM	IND	LIBRARY	O
HINGHAM	MTA	PROFESSIONAL	S
HOLBROOK	MTA	CLERICAL	S
HOLYOKE	AFSCME	CLERICAL	S
HOPKINTON	AFSCME	TECHNICIAN	S
LAWRENCE	IND	WASTEPLANT	S
LAWRENCE	IND	NURSE	S
LAWRENCE	SEIU	ADMINISTRATOR	S
LOWELL	IUE	MECHANIC	S
LOWELL	SEIU	CUSTODIAN	S
LUNENBERG	MTA	TEACHER	S
LYNN	AFSCME	CLERICAL	O
MANCHESTER	AFSCME	DPW	O
MANSFIELD	MTA	TEACHER	O
MANSFIELD	MTA	AIDE	S
MARLBORO	SEIU	DPW	S
MARLBOROUGH	IND	PRINCIPAL	O
MARLBOROUGH	MTA	TEACHER	S
MARTHA'S VINEYARD	MTA	TEACHER	S
MASSACHUSETTS	NAGE	CLERICAL	S
MBTA	ALLIANCE	SUPERVISOR	O
MEDFIELD	AFSCME	CUSTODIAN	S
MEDFIELD	MTA	ADMINISTATOR	S
MILFORD	AFSCME	CAFETERIA	O
MILFORD	AFSCME	CAFETERIA	O
MILFORD	IND	ADMINISTRATOR	S
MILLIS	MTA	PROFESSIONAL	S
NANTUCKET	NAGE	CUSTODIAN	S
NASHOBA VALLEY	AFT	TEACHER	S
NATICK	MTA	NURSE	S
NAUSET	MTA	AIDE	S
NAUSET	MTA	CLERICAL	S

1987 PUBLIC SECTOR CASE ANALYSIS

EMPLOYER	UNION	BARGUNIT	DS**
NAUSET	MTA	TEACHER	S
NAUSET	MTA	TEACHER	S
NEW BEDFORD	MTA	NURSE	O
NEWTON	SEIU	CUSTODIAN	S
NEWTON	AFSCME	CLERICAL	S
NEWTON	AFSCME	FOREMAN	S
NEWTON	AFSCME	DPW	S
NORFOLK	MTA	TEACHER	S
NORTH ANDOVER	MTA	CLERICAL	S
NORTH ANDOVER	MTA	CLERICAL	S
NORTHAMPTON	IND	AIDE	S
NORTHEAST METROPOLITAN	MTA	TEACHER	S
NORTON	MTA	TEACHER	S
NORWELL	IND	TEACHER	S
OLD ROCHESTER	MTA	AIDE	S
PEABODY	MFT	NONPROFESSIONAL	S
PENNTUCKET	MTA	TEACHER	S
PITTSFIELD	MTA	ADMINISTRATOR	O
QUINCY	MNA	NURSE	O
ROCKLAND	AFSCME	LABORER	S
ROCKLAND	AFSCME	DISPATCHER	S
ROCKPORT	AFSCME	DPW	O
ROWE	MTA	TEACHER	S
SANDWICH	MTA	TEACHER	S
SHARON	AFSCME	DPW	O
SHARON	SEIU	CLERICAL	S
SHERBORN	AFSCME	FOREMAN	S
SOMERVILLE	MTA	TEACHER	S
SOUTH MIDDLESEX	AFSCME	CUSTODIAN	S
SOUTH SHORE	AFT	CUSTODIAN	S
SOUTHBRIDGE	SEIU	DPW	O
SOUTHBRIDGE	SEIU	CUSTODIAN	S
SOUTHWICK	AFSCME	DISPATCHER	O
SOUTHWICK	AFSCME	CUSTODIAN	S
SPENCER-EAST BROOKFIELD	MTA	COUNSELOR	S
SPRINGFIELD	AFSCME	FOREMAN	S
SPRINGFIELD	AFT	PROFESSIONAL	S
SPRINGFIELD	MTA	AIDE	S
STONEHAM	MTA	TEACHER	S
STOUGHTON	MTA	TEACHER	S
SUTTON	MTA	TEACHER	S
SWAMPSCOTT	AFSCME	CLERICAL	S
TAUNTON	MTA	TEACHER	S
TRITON	MTA	TEACHER	O
UPPER CAPE COD	MTA	TEACHER	S
WACHUSETT	MTA	CLERICAL	S
WALTHAM	IND	CLERICAL	S
WALTHAM	IND	CLERICAL	O
WALTHAM	IND	CUSTODIAN	S
WAREHAM	OPEIU	SECRETARY	S
WAYLAND	NAGE	CLERICAL	S
WELLESLEY	AFSCME	CUSTODIAN	S
WELLESLEY	AFSCME	DPW	S
WELLESLEY	AFSCME	CLERICAL	O
WEST SPRINGFIELD	NAGE	CUSTODIAN	S
WEST SPRINGFIELD	AFSCME	DPW	S
WESTFIELD	MTA	NURSE	S

1987 PUBLIC SECTOR CASE ANALYSIS

EMPLOYER	UNION	BARGUNIT	DS**
WESTWOOD	MTA	PROFESSIONAL	S
WEYMOUTH	MTA	TEACHER	S
WEYMOUTH	MTA	AIDE	S
WEYMOUTH	MTA	TEACHER	S
WEYMOUTH	SEIU	CAFETERIA	S
WHITMAN-HANSON	MTA	PARAPROFESSIONAL	S
WHITMAN-HANSON	MTA	TEACHER	S
WHITTIER	IND	CAFETERIA	S
WILMINGTON	MTA	TEACHER	S
WINCHENDON	AFSCME	DPW	S
WORCESTER	IND	NURSE	S
WORCESTER	IND	CLERICAL	S
WORCESTER	MNA	NURSE	O
WORCESTER	MNA	NURSE	S
WORCESTER	MTA	TEACHER	S
WORCESTER	MTA	COUNSELOR	S
WORCESTER	NAGE	TECHNICIAN	S
WORCESTER	SEIU	PROFESSIONAL	S
WRENTHAM	PTE	CLERICAL	S
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** S--SETTLED, F--SET.BY FF, R--SET.AFTER FF REPORT, O--OPEN ** Page 23

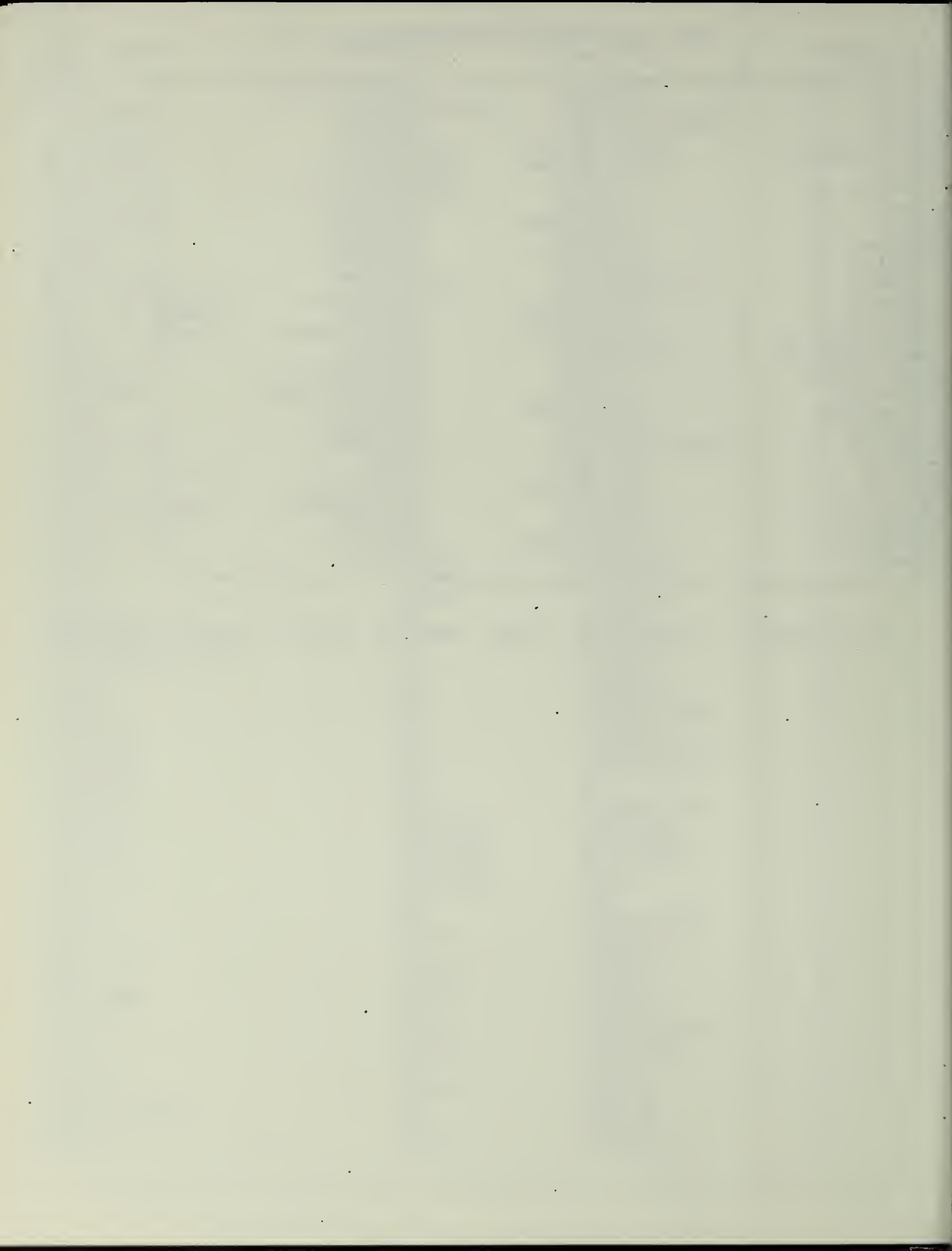
1986 PUBLIC SECTOR CASE ANALYSIS

EMPLOYER	UNION	BARGUNIT	DS**
ATHOL	MTA	TEACHER	O
BARNSTABLE	TEAMSTERS	AIRPORT	S
BAY PATH	MTA	ADMINISTRATOR	S
BELLINGHAM	AFSCME	CLERICAL	S
BELLINGHAM	AFSCME	CUSTODIAN	S
BELLINGHAM	AFSCME	HIGHWAY	S
BELLINGHAM	AFSCME	AIDE	S
BELLINGHAM	MTA	NURSE	S
BELMONT	MTA	TEACHER	S
BELMONT	MTA	NURSE	S
BLUE HILLS	MTA	FACULTY	S
BOARD OF REGENTS	AFSCME	MAINTENANCE	O
BOARD OF REGENTS	MTA	FACULTY	O
BOARD OF REGENTS	MTA	FACULTY	S
BOSTON	IND	INSPECTOR	S
BRAINTREE	MTA	TEACHER	S
CAMBRIDGE	MNA	RN	S
CANTON	MTA	TEACHER	S
CARVER	MTA	TEACHER	S
CHELMSFORD	MTA	ADMINISTRATOR	S
CONCORD-CARLISLE	MTA	DRIVER	O
DIGHTON	MTA	TEACHER	S
DIGHTON-REHOBOTH	IND	TEACHER	O
DOVER-SHERBORN	MTA	TEACHER	S
DUXBURY	NAGE	CLERICAL	S
EASTON	AFSCME	CUSTODIAN	S
EASTON	AFSCME	CLERICAL	S
EASTON	AFSCME	CLERICAL	S
FRAMINGHAM	MTA	TEACHER	S
FRANKLIN	AFSCME	CLERICAL	O
FREETOWN-LAKEVILLE	MTA	TEACHER	O
GLOUCESTER	MTA	CLERICAL	S
HADLEY	MTA	TEACHER	S
HANOVER	MTA	PROFESSIONAL	S
HATFIELD	MTA	TEACHER	S
HAVERHILL	IND	ADMINISTRATOR	O
HAVERHILL	SEIU	CLERICAL	O
HAVERHILL	SEIU	RN	S
HAVERHILL	SEIU	MAINTENANCE	S
HAVERHILL	TEAMSTERS	ENGINEER	S
HAVERHILL	TEAMSTERS	WASTEPLANT	S
HAVERHILL	TEAMSTERS	WASTEPLANT	S
HAVERHILL	TEAMSTERS	CRAFT	S
HINSDALE	UFCW	DPW	S
HUDSON	CWA	MAINTENANCE	S
IPSWICH	AFSCME	LIGHTDEPT	S
KING PHILIP	MTA	TEACHER	S
KINGSTON	AFSCME	DRIVER	S
KINGSTON	AFSCME	CLERICAL	S
LEICESTER	SEIU	HIGHWAY	S
LOWELL	SEIU	ADMINISTRATOR	S
MANSFIELD	AFSCME	CUSTODIAN	S
MAYNARD	MTA	TEACHER	S
MEDFORD	AFSCME	TRAFFIC	O
MIDDLEBOROUGH	MTA	TEACHER	S
MIDDLEBOROUGH	MTA	TEACHER	S
MILLIS	AFSCME	CUSTODIAN	S

1986 PUBLIC SECTOR CASE ANALYSIS

EMPLOYER	UNION	BARGUNIT	DS**
MILLIS	MTA	PROFESSIONAL	S
NEEDHAM	MTA	TEACHER	S
NORFOLK	MTA	TEACHER	S
NORTH ATTLEBORO	AFSCME	CLERICAL	S
NORTON	AFSCME	CLERICAL	S
PLYMOUTH	IBCO	CORRECTION	S
QUABOG	MTA	TEACHER	S
QUINCY	AFSCME	CLERICAL	S
RAYNHAM	MTA	TEACHER	S
SCITUATE	HLPE	CLERICAL	S
SCITUATE	MTA	TEACHER	S
SCITUATE	SEIU	CLERICAL	S
SHEFFIELD	AFSCME	HEALTH	S
SHREWSBURY	AFSCME	MAINTENANCE	O
SOUTH BERKSHIRE	MTA	NURSE	S
SOUTH HADLEY	MTA	TEACHER	O
SOUTHWICK	MTA	ADMINISTRATOR	S
SPRINGFIELD	AFSCME	CLERICAL	O
TEWKSBURY	MTA	TEACHER	O
WAKEFIELD	IND	ENGINEER	S
WALPOLE	MTA	AIDE	S
WEBSTER	AFSCME	CUSTODIAN	S
WELLESLEY	IND	MAINTENANCE	O
WESTBORO	MTA	TEACHER	S
WESTBOROUGH	AFSCME	CLERICAL	S
WEYMOUTH	MTA	TUTOR	F
=====	=====	=====	=====

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MASS. 1780
The Commonwealth of Massachusetts

BOARD OF CONCILIATION AND ARBITRATION



ANNUAL REPORT 1988

GOVERNMENT DOCUMENTS
COLLECTION

MAR 28 1989

University of Massachusetts
Depository Copy

Michael S. Dukakis
Governor

Diane Zaar Cochran
Chairman



THE COMMONWEALTH OF MASSACHUSETTS
BOARD OF CONCILIATION AND ARBITRATION

ONE HUNDRED AND SECOND ANNUAL REPORT

JULY 1, 1987 - JUNE 30, 1988

LEVERETT SALTONSTALL BUILDING, GOVERNMENT CENTER
100 CAMBRIDGE STREET, ROOM 1105
BOSTON, MASSACHUSETTS 02202
TELEPHONE: (617) 727-3466

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1891

March 1st

Received of Mr. J. H. Smith

the sum of

Twenty Dollars

for Rent of

Room & Board

for the month of

March

1891

John H. Smith

Witness my hand

at New York City

this 1st day of March

1891

I. THE BOARD TODAY

The Board of Conciliation and Arbitration, an independent agency housed within the Executive Office of Labor, is the oldest state labor arbitration agency in the country. The Board is a nationally recognized leader and innovator in maintaining labor peace in a manner consistent with collective bargaining rights and productivity in the workplace.

Chapter 23C of the Massachusetts General Laws establishes the Board's mission:

§1. Declaration of Policy

It is hereby declared to be the public policy of this state that the best interests of the people of the state are served by the prevention or prompt settlement of labor disputes; and it shall be the responsibility and objective of the board of conciliation and arbitration to take such steps as will most effectively and expeditiously encourage the parties to a labor dispute to agree on the terms of a settlement or to agree on the method and procedure which shall be used to resolve a dispute.

The Board's long term goals reflect this mission. The goals include: ensuring the quality and effectiveness of impasse resolution services; improving the timeliness of Board grievance arbitration decisions; increasing public awareness of agency services; and developing and implementing an automated case management and information system.

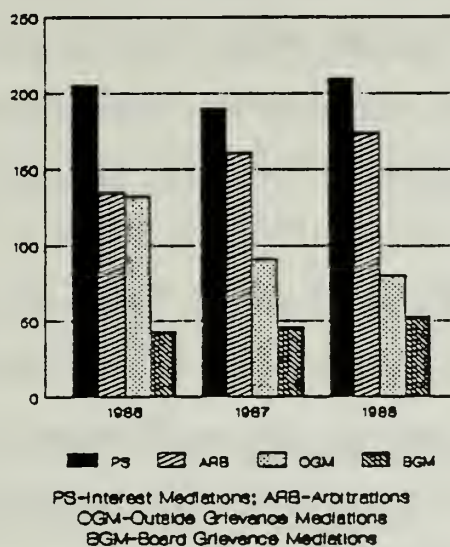
Hundreds of labor unions and employers have sought Board assistance during the past year. The primary services offered by the Board include:

- (1) Interest Mediation: mediation of disputes arising out of contract negotiations.
- (2) Grievance Mediation: mediation of grievances prior to grievance arbitration, whether at the Board (Board Grievance Mediation) or elsewhere (Outside Grievance Mediation).
- (3) Grievance Arbitration: the final and binding hearing and decision on disputes that arise under collective bargaining agreements.
- (4) Preventive Mediation: conciliation of potentially disruptive labor relations situations.
- (5) Unfair Labor Practice Mediation: mediation of cases referred by the Labor Relations Commission.
- (6) Community Education: educational outreach through participation in labor relations education programs, Board-sponsored programs for labor and management, and public speaking engagements before the general public.

II. BOARD SERVICES

The Board has made progress on its goal of computerizing the case management and information systems. We can now provide clearer information on Board activities. Four different components of the Board's many activities are most susceptible to a statistical analysis: Interest Mediation, Arbitration, Board Grievance Mediation, and Outside Grievance Mediation. The following chart illustrates the volume of these different activities over the past three fiscal years.

CASES REQUESTED BY TYPE FY 1986 to FY 1988



While interest mediation statistics have been stable, there has been a major increase in arbitration requests, a small increase in board grievance mediations, and a decrease in outside grievance mediations. More specific information on these activities is provided in the sections that follow.

A. Interest Mediation

The Board provides professional mediators to assist employers and labor unions, in both the public and private sectors, in resolving disputes arising out of contract negotiations. Interest mediation accounts for almost half of the requests for Board services. Under Section 9 of the Massachusetts public sector collective bargaining law, Chapter 150E, the Board is responsible for mediating all public sector labor contract disputes, except for municipal police and fire fighter disputes. The Board's responsibility under Section 9 extends beyond mediation, if necessary, to fact-finding or voluntary arbitration.

Interest mediation is used extensively by state, county, and municipal governments and authorities; and in all types of work settings, from hospitals to schools to correctional facilities. A list of those parties requesting interest mediation is contained in Appendix A.

The Board places a high priority on interest mediation because of the potential for the disruption of public services or commerce. The prevention and prompt settlement of collective bargaining disputes benefits not only the immediate parties--the employers, unions, and employees--but also the local communities, the general public, and the Commonwealth itself. These services are a form of local aid. Obtaining these services from private mediators would result in great costs to the public; but the state provides these services to the local communities at no cost.

Private sector labor disputes can also have a significant impact on the Massachusetts economy. If a substantial public interest is involved, the Board will provide mediation services when requested. Seven major private sector cases were resolved with Board assistance during the past year. The most serious of these disputes involved a strike by the Boston school bus drivers union. Through extensive mediation, the Board mediator assisted the parties in settling their dispute, thereby ending the strike and restoring school transportation for Boston's school children. The settlement included a Board-administered voluntary arbitration mechanism.

The chart below shows that 97% of the 197 public sector contract disputes resolved this year were resolved in mediation,

and only 3% were resolved in the next step of the legal impasse process, fact-finding. Of 293 cases open during the fiscal year, 95 were carried over to Fiscal Year 1989. Sixty-three of those cases had been filed in the last 2 months of Fiscal Year 1988, and 7 had been referred to third parties, either fact-finding or arbitration. Of the 89 cases still being mediated, 32 completed the mediation process in the first 3 months of Fiscal Year 1989.

PUBLIC SECTOR INTEREST MEDIATION REQUESTS

Total Disputes Received in	<u>FY 1988</u>	<u>FY 1987</u>	<u>FY 1986</u>
	210	190	207
Settled Same Fiscal Year	121	110	122
Settled in Mediation	119	109	121
Settled by Fact-Finder	2	1	1
Open at End of Same Year	89	80	85
(Received last 2 months)	63	54	60
In Arbitration		1	
In Fact-Finding	4	6	7
In Mediation	85	73	78
Prior Year Case Settled in Current Fiscal Year	73	82	78
Settled in Mediation	71	76	78
Settled by Fact-Finder	2	6	
Prior Year Case Open at End of Current Fiscal Year	7	3	1
In Arbitration	1		
In Fact-Finding	2		
In Mediation	4	3	1
Two Year Old Cases Settled in Current Fiscal Year	3		
Settled in Mediation	1		
Settled in Fact-Finding	2		
Total Disputes Resolved in Current Fiscal Year	197	192	200

The Board can measure the length of time taken to resolve disputes with which it is involved. The table below lists the

time taken to settle cases during this fiscal year for cases in which a Board mediator met at least once with the parties, according to the year in which the initial petition was filed:

<u>Year of Petition</u>	<u>Number of Cases</u>	<u>Percent of Settled Cases</u>	<u>Average Time Taken</u>
1986	3	1.7%	15.5 months
1987	68	38.6%	5.5 months
1988	<u>105</u>	<u>59.7%</u>	<u>2.6 months</u>
<u>Totals</u>	176	100.0%	3.9 months

The impasse procedures of the public sector collective bargaining law allow parties the option of utilizing a mediator from the Board's own professional staff or choosing a private mediator. The Board is proud of the fact that very few employers and unions have elected to choose their own private mediator. Out of 210 petitions filed during this fiscal year, only in three instances did the parties elect to hire their own private mediator. In one of those cases, the parties eventually requested the Board to assign a state mediator when the private mediator was unable to resolve the dispute. This statistic reflects the professional esteem with which the Board's mediators are held within the labor relations community.

The results of a Board-sponsored client satisfaction survey this past year are equally impressive. Out of 35 responses to the anonymous survey regarding this service, all but 2 were "satisfied" or "very satisfied" with the mediation process provided by the Board. Twenty-five respondents were "very satisfied" with the mediator's effectiveness, and 28 respondents felt that the mediator's presence was "very useful." Some of the

specific comments from the Board's clients are listed below:

"The mediator in this case was most persuasive in convincing both parties that the prudent course of action was to modify their positions and in helping to frame the ultimate settlement in such a way that it appeared as if the parties accomplished it themselves."

"In any case that your assistance was needed, the professional way your employees carried out their appointment was a strong factor in resolving the problem."

"My experiences this year have produced settlements which in large part are linked to a successful mediation process with skilled, professional mediators. Your agency can take pride in its handling of the strike situations and the mediators who worked so diligently to see a settlement reached."

"The employer's committee was apprehensive about being in mediation but the mediator's skill and interest in having an agreement reached was instrumental in a very good settlement."

"Over the past 5 to 6 years, mediation service has improved greatly."

"In this instance, the mediator was the only reason we were able to reach a settlement."

"The contract would not have been settled without the assistance of an outstanding mediator."

B. GRIEVANCE ARBITRATION

Many collective bargaining agreements name the Board as the chosen forum for the final and binding resolution of grievance disputes--grievance arbitration. After voluntary petition by the parties, Board arbitrators hold evidentiary hearings and take arguments in disputes involving the interpretation of collective bargaining agreements. The arbitrator then issues a decision containing an award which is final and binding upon the parties.

Grievance arbitration is utilized by a statewide constituency of management and union labor relations representatives for a variety of entities in the Commonwealth, including state government, hospitals, fish packing and produce companies, municipal departments of public works, police departments, fire departments, school systems, counties, manufacturers, and trucking firms, among many others. (See Appendix B.)

This year, for the first time in many years, public sector disputes comprised a majority of grievance arbitration requests. Local communities often cite the low cost of Board arbitration as a reason for preferring this forum to private arbitration. This has been especially true in a year when local communities have begun to experience increased budgetary constraints. This is one of the ways in which the activities of the Board serve as a form of local aid.

Many of the grievances cited in petitions for Board arbitration are settled before reaching the hearing stage. Disputes may be settled without a hearing if: parties have second thoughts and unilaterally withdraw the petition; parties meet informally and reach an agreement; or parties meet with a Board mediator and settle the issue in grievance mediation. The Board is strongly committed to grievance mediation because of its positive impact on the relationship between labor and management. Therefore, Board mediators strive to resolve potential arbitrations through this mechanism.

The Board resolved a total of 141 grievances in Fiscal Year 1988. Of these, 95 were filed in Fiscal Year 1988, 65 in Fiscal

Year 1987, 6 in Fiscal Year 1986, and 5 in Fiscal Year 1985. The number of cases resolved without a hearing increased slightly to 66%, up from 64% in Fiscal Year 1987. Forty-nine percent (39) of the open Fiscal Year 1988 arbitrations were filed during the last two months of Fiscal Year 1988. Of the open Fiscal Year 1988 arbitrations, 6% (5) had been heard and were awaiting the issuance of awards, while 44% (35) of these open cases were resolved in the first two months of Fiscal Year 1989.

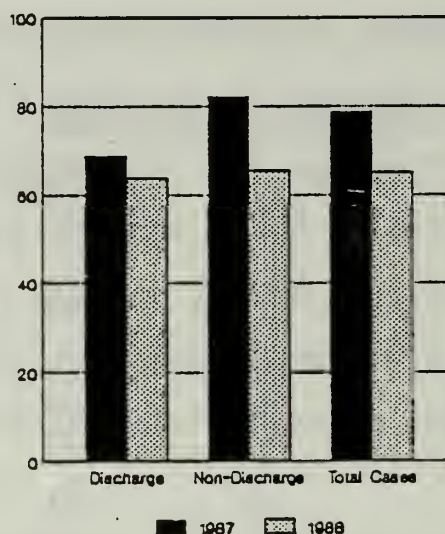
GRIEVANCE ARBITRATION REQUESTS

Arbitrations Received in	<u>FY 1988</u>	<u>FY 1987</u>	<u>FY 1986</u>
	174	161	135
Public Sector	101	71	61
Private Sector	73	90	74
Resolved Same Fiscal Year	95	87	76
Settled	75	66	61
Awards Issued	20	21	15
Resolved from Prior Years	72	54	65
Settled	34	24	26
Awards Issued	38	30	39
Total Resolved This Year	167	141	141
Settled	109	90	87
Awards Issued	58	51	54
Arbitrations Open at End of Fiscal Year	79	74	59
Prior Fiscal Year Open at End of This Fiscal Year	9	6	6

An important long term objective of the agency has been to improve the timeliness of the issuance of arbitration decisions. Our goal for Fiscal Year 1988 was to issue decisions in discharge cases within 60 days of the closing of the case, and within 90 days in non-discharge cases. We have had significant improvement

in this area. For decisions issued where the record closed this year, the average time taken to issue an award in a discharge case was 63.8 days. The average for all non-discharge cases was 65.5 days. The overall average for all cases this year was 65 days, which is down from 79 in Fiscal Year 1987.

ARBITRATION DECISIONS
Days Taken Per Case



C. GRIEVANCE MEDIATION

Grievance mediation has been a major addition to the Board's activities over the past few years. The Board has been a national pioneer in grievance mediation, which leads professional labor relations organizations to make many requests for Board presentations on the topic. Further, our success in this area has led other states to follow our lead and initiate their own grievance mediation programs.

Grievance mediation is offered to all parties appearing for Board grievance arbitrations. In most cases, it is conducted on the day that the arbitration hearing itself is scheduled.

However, where records show an above average number of petitions for grievance arbitration in a particular worksite, the Board offers on-site mediation prior to the scheduled hearing. Staff members never serve as both mediator and arbitrator of the same dispute, and the mediator is prohibited from discussing the grievance in the interest of preserving confidentiality.

BOARD GRIEVANCE MEDIATION REQUESTS

Total Disputes Received in	<u>FY 1988</u>	<u>FY 1987</u>	<u>FY 1986</u>
	53	46	43
Settled	31	21	26
Referred to Arbitration	22	22	14
Resolved Prior to Mediation		1	2
Settled as Percent of Total	58%	46%	60%

The Board also mediates grievances for parties who use other forums for arbitration. For instance, some collective bargaining agreements require that private arbitrators be chosen from specific panels such as the American Arbitration Association. Without delaying the scheduling of the arbitration, the parties sometimes jointly request Board mediation. Better long-term relationships have grown out of this mediation program, enabling more settlements and thus less need for both mediation and arbitration.

The Board's astounding 91% success rate (an average of 94% over the last three years) is the best in the nation. Because some of the mediators who specialize in these outside grievance mediations suffered serious illnesses during the past year, the

numbers of outside grievance mediation cases has declined. However, within the first few months of Fiscal Year 1989 the number of these cases filed has already equalled the total number of cases filed for all of Fiscal Year 1988.

OUTSIDE GRIEVANCE MEDIATION REQUESTS

Total Disputes Received in	<u>FY 1988</u>	<u>FY 1987</u>	<u>FY 1986</u>
	80	91	132
Disputes Settled	67	85	126
Referred to Arbitration	2	4	4
Settled Prior to Mediation	5	1	2
Open	6		
Settled as Percent of Total Closed Cases	91%	93%	95%

TOTAL GRIEVANCE MEDIATION REQUESTS OF BOTH TYPES

Total Disputes Received in	<u>FY 1988</u>	<u>FY 1987</u>	<u>FY 1986</u>
	133	137	175
Disputes Settled	98	106	152
Settled as Percent of Closed Cases	77%	77%	83%

D. COMMUNITY EDUCATION

In spite of a reduction in resources and an increase in public sector strike activity in the past year, Nancy Peace, as Education Officer for the Board, was able to present two major workshops on grievance mediation for the labor relations community. She presented one in Springfield; it served to introduce more of the western Massachusetts labor relations community to grievance mediation, the Board itself, and the new Springfield office. Southeastern Massachusetts University in

Dartmouth hosted the second workshop. It introduced labor relations professionals from the southeast part of the state to the Board's grievance mediation activities.

Other educational activities included staff members speaking before these organizations:

- * Society of Federal Labor Relations Professionals, presentation entitled "Why Grievance Mediation Works"
- * Massachusetts Bar Association Professional Education Program, presentation on the Misco decision
- * American Arbitration Association's Arbitration Day in New York City, presentation entitled "Negotiation through the Eyes of the Mediators"
- * Boston Bar Association Public Sector Labor Law Conference
- * AFL-CIO Meany-Gompers-Murray Educational Conference
- * New England Consortium of Labor Relations Agencies
- * Association of Labor Relations Agencies, presentations on "Grievance Mediation" and "Drafting Arbitration Decisions"
- * Society of Professionals in Dispute Resolution
- * Massachusetts Library Association
- * Simmons College, guest lecture on collective bargaining
- * Boston College Law School, mock arbitration
- * Massachusetts League of Women Voters

In addition, Diane Zaar Cochran completed a term as Vice President for Mediation and Arbitration of the Association of Labor Relations Agencies, and became the First Vice President of that organization, which is comprised of all labor relations agencies in the United States and Canada. Ms. Cochran is also the Treasurer of the local Industrial Relations and Research Association chapter. Nancy Peace also edited the Proceedings of the 1987 ALRA National Conference, which included an article entitled "Drafting the Arbitration Decision" by Michael Ryan.

The Board was also fortunate this year to have the Executive Director of the Washington Public Employee Relations Board train Board staff on computerization of labor relations records.

III. BOARD STAFF

We are pleased to note the addition of Robert Canavan, Esq. and Mary Ellen Shea as Mediator/Arbitrators with the Board. Mr. Canavan was formerly associated with Murphy, Lemere, & Murphy and with the National Association of Government Employees prior to that. He replaced Marsha Hunter who is now an attorney with the Department of Labor and Industries. Ms. Shea was formerly a representative with the American Federation of Government Employees, and is a recent graduate in Public Administration from Harvard University.

The Board has also lost the services of Mediator George Fitzpatrick of Worcester who retired after ten years with the Board, having previously worked for twenty-five years with the Amalgamated Meatcutters Union. In light of his many years of experience in labor relations and the respect he earned from both management and labor representatives, he will be sorely missed by all, especially those in the Worcester area.

Research Coordinator Marilyn Hilliard moved on to the Bureau of State Buildings and has been replaced by Labor Relations Specialist Gerry McDonough, formerly with the Service Employees International Union. Sheila Faiella replaced Beverly Bradway as the Board's Administrative Assistant. The Board's clerical staff has returned to full strength with the addition of Maureen Haddad and Margaret Thompson.

Chairman:

Diane Zaar Cochran

Vice Chairman:

Michael C. Ryan

<u>Mediator/Arbitrators:</u>	Robert J. Canavan Sarah Kerr Garraty Elliot Klitzman Arnold M. Marrow Nancy E. Peace Mary Ellen Shea
<u>Mediators:</u>	Paul M. Connolly Walter J. Diehl John J. Mark
<u>Specialist:</u>	Gerry McDonough
<u>Administrative Assistant:</u>	Sheila Faiella
<u>Office Staff:</u>	Rose R. Christo, Supervisor Maureen E. Haddad Margaret Thompson

SPRINGFIELD OFFICE:

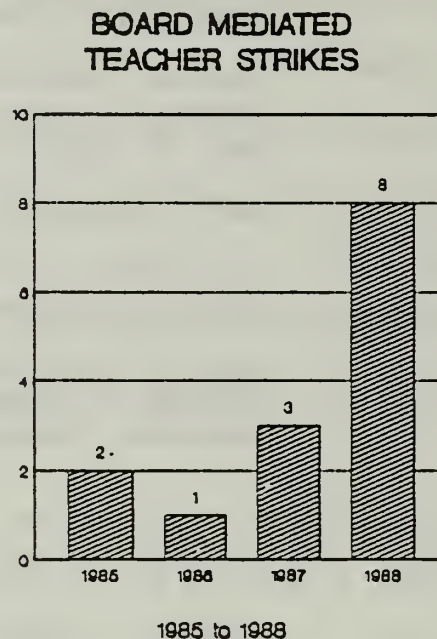
<u>Mediator/Arbitrator:</u>	Nicholas N. Marshall
<u>Mediator:</u>	James B. Leydon
<u>Office Staff:</u>	Brenda B. Bynum

IV. HIGHLIGHTS OF FISCAL YEAR 1988

The Board mediated the settlement of ten strikes this fiscal year, an unprecedented number. Eight involved school teachers (Revere, Seekonk, Norton, Medford, Lexington, Raynham, Hudson, and Sharon), one involved school custodians (City of Boston), and one involved school bus drivers (City of Boston). This is a major increase in strike mediation for the Board, especially among teacher groups as indicated by the next chart.

Strikes take a toll on the Board. The mediator assigned to the case will often have to postpone other cases and a settlement usually occurs after several marathon meetings. This can often result in an increase in workload for other mediators.

Nevertheless, the Board has an outstanding record of response to these difficult situations.



The strikes were only the most public evidence of the increased pressure in school teacher negotiations. There were dozens of other situations where strikes were averted only after lengthy, intense and frequent mediation sessions. In Chicopee, for example, a settlement was reached at the conclusion of a marathon session, only 30 minutes before a scheduled strike vote by the teacher association. In Beverly, a strike was scheduled to commence at 7:00 a.m. and a settlement was reached only three hours earlier.

Non-teacher bargaining often involved similar situations. The Chairman mediated negotiations between the Commonwealth and Unit 7, the state's professional health care bargaining unit, and a settlement was reached only after a twenty hour weekend session. The Board's resources were stretched to the limit this

year during this unusual period.

V. FUTURE DIRECTIONS

In many ways, the Board has never been in a stronger position than it is today. Our grievance mediation activities have placed the Board at the forefront of innovation in state labor mediation agencies. The increase in demand for grievance arbitration exemplifies the renewed confidence of the labor relations community in the independence and professionalism of the Board. The Board is proud of its contribution towards a productive and positive labor relations climate in the Commonwealth.

There are still many serious challenges facing the Board in the years to come. Almost all the Commonwealth's recently negotiated collective bargaining agreements, as well as those of the Mass. Water Resources Authority, now include provisions for the appeal of employee evaluations (EPRS) to arbitration with the Board. There is no way to predict how many of these appeals will reach arbitration, and, because the process has not yet reached this stage, there is no way to determine how time consuming they will be. The impact is expected to begin sometime in Fiscal Year 1989. While the utilization of the Board will certainly provide a cost effective means of resolving these disputes for the Commonwealth, there is no question but that they will have a serious impact on the already stretched resources of the Board.

The shrinking resources of the Commonwealth pose a challenge to all state agencies. The Board has been successful in the past few years in managing its resources in a cost efficient and

productive manner. It is important to recognize that the Board's contribution to labor peace is a factor in our state's economic productivity and growth. The Board's special contributions to local communities, counties, public agencies, and the state are activities that actually lower costs for these entities. Any reduction the Board's capacity to deal with these matters may have the effect of both stunting economic growth and shifting costs from one area of government to another. The Board is committed to doing its part to meeting these difficult challenges.

1988 INTEREST MEDIATION CASE LIST

EMPLOYER	UNION	BARGAINING UNIT	DS**
Abington	HLPE	Clerical	O
Abington	MLSA	Library	O
Acton	AFSCME	DPW	O
Amesbury	AFT	Nurse	O
Arlington	MTA	Clerical	S
Arlington	MTA	Supervisor	O
Athol-Royalston	MTA	Teacher	S
Auburn	SEIU	DPW	S
Ayer	AFSCME	Custodian	S
Ayer	AFSCME	Clerical	S
Barnstable	AFSCME	DPW	S
Barnstable	HHCE	Mixed	O
Barnstable	IBCO	Correction	O
Barnstable	MNA	RN	S
Barnstable	Teamsters	Airport	O
Belchertown	AFSCME	DPW	S
Belchertown	MTA	Teacher	S
Belmont	MTA	Aide	S
Belmont	MTA	Teacher	O
Beverly	MTA	Teacher	O
Beverly	MTA	Aide	O
Beverly Public Library	AFSCME	Library	O
Blue Hills	MTA	Teacher	O
Board of Regent	MTA	Faculty	F
Board of Regents	MTA	Faculty	O
Boston	AFSCME	Foreman	S
Boston	AFSCME	Correction	O
Boston	AFT	Nurse	F
Boston	GCIU	Mixed	O
Boston	GCIU	Library	O
Boston	GCIU	Craft	S
Boston	IBFO	Fire	S
Boston	Ind	Police	O
Boston	SEIU	LPN	S
Boston	SEIU	Clerical	O
Boston	SEIU	RN	S
Bourne	HLPE	Library	O
Bourne	MTA	Teacher	S
Burlington	Ind	Administrato	S
Cambridge	AFSCME	Inspector	S
Carver	MTA	Teacher	S
Central Berkshire	Ind.	Clerical	O
Central Berkshire	MTA	Administrato	O
Chelsea	AFT	Teacher	O
Chicopee	IBEW	Lightdept	S
Chicopee	MTA	Teacher	S
Danvers	AFSCME	Aide	S
Danvers	AFSCME	Cafeteria	O

** DS--DISPOSITION, S--SETTLED, F--FACTFINDING, O--OPEN **

1988 INTEREST MEDIATION CASE LIST

EMPLOYER	UNION	BARGAINING UNIT	DS**
Danvers	AFSCME	Secretary	F
Danvers	AFSCME	DPW	S
Danvers	AFSCME	Clerical	O
Danvers	AFSCME	Lightdept	S
Danvers	AFSCME	Maintenance	S
Danvers	MNA	RN	S
Dartmouth	MTA	Teacher	O
Dedham	AFSCME	Custodian	S
Dennis-Yarmouth	MTA	Teacher	O
Duxbury	AFSCME	Dispatcher	O
Duxbury	AFSCME	DPW	O
E. Bridgewater	MTA	Teacher	S
Easton	AFSCME	Clerical	S
Fall River	AFSCME	Custodian	S
Fall River	AFSCME	Cafeteria	S
Fall River	MTA	Teacher	S
Fall River	MTA	Aide	S
Falmouth	AFSCME	Clerical	O
Foxborough	H.L.P.E.	Library	S
Framingham	HLPE	Library	S
Franklin	MTA	Maintenance	S
Gloucester	AFSCME	Clerical	O
Gloucester	MTA	Cafeteria	O
Hancock	MTA	Teacher	O
Hanover	MTA	Teacher	O
Hanson	AFSCME	Clerical	S
Hanson	MTA	Aide	S
Harwich	MTA	Clerical	F
Haverhill	Teamsters	Engineer	S
Haverhill	Teamsters	Health	S
Haverhill	Teamsters	Engineer	S
Haverhill	Teamsters	Wasteplant	S
Haverhill	Teamsters	Water	S
Haverhill	Teamsters	Water	S
Holbrook	MTA	Teacher	S
Holyoke	AFSCME	Clerical	O
Holyoke Housing	AFSCME	Administrati	O
Hudson	AFSCME	Clerical	O
Hudson	MTA	Teacher	S
Hull	AFSCME	Clerical	O
Lawrence	AFT	Teachers	O
Leicester	MTA	Nurse	S
Leicester	SEIU	DPW	O
Leominster	AFSCME	Maintenance	O
Leominster	MTA	Aide	S
Lexington	MTA	Professional	S
Lunenburg	AFSCME	Custodian	S
Lynn	AFSCME	Clerical	S

** DS--DISPOSITION, S--SETTLED, F--FACTFINDING, O--OPEN **

1988 INTEREST MEDIATION CASE LIST

EMPLOYER	UNION	BARGAINING UNIT	DS**
MBTA	ATU	Maintenance	O
Malden	AFSCME	Mixed	S
Maquan	MTA	Teacher	S
Marion	AFSCME	DPW	S
Massachusetts	MNA	Health	S
Medford	MTA	Teacher	S
Medford	Teamsters	Maintenance	F
Medway	AFSCME	Custodian	S
Merrimac	AFSCME	Dispatcher	S
Middlesex	Teamsters	Police	O
Millis	MTA	Nurse	O
Mount Greylock	MTA	Aide	S
Mt. Greylock	MTA	Teacher	S
Nahant	MTA	Teacher	O
Needham	MTA	Teacher	S
Norfolk	AFSCME	Clerical	S
Norfolk	AFSCME	Maintenance	S
Norfolk	AFSCME	Engineer	S
North Andover	MTA	Custodian	S
North Attleboro	AFSCME	Clerical	S
North Attleborough	MFT	Mixed	O
NorthBridge	AFSCME	Maintenance	S
Northampton	AFSCME	Engineer	S
Northampton	IND	Custodian	O
Northampton	MTA	Administrato	S
Northampton	MTA	Library	S
Norton	AFSCME	Custodian	S
Norwell	Ind	Custodian	O
Old Rochester	MTA	Clerical	O
Orange	MTA	Teachers	S
Orange	MTA	Aides	O
Peabody	AFSCME	Mixed	O
Peabody, MA	AFSCME	Mixed	O
Pembroke	MTA	Teacher	S
Pioneer Valley	MTA	Teacher	S
Plymouth	AFSCME	Library	S
Plymouth	AFSCME	Traffic	S
Plymouth	AFSCME	Mixed	O
Plymouth	AFSCME	Cafeteria	O
Plymouth	AFSCME	Custodians	O
Plymouth	MTA	Clerical	O
Plymouth	NAGE	Administrati	S
Plymouth	NAGE	Clerical	S
Provincetown	AFSCME	Cafeteria	S
Provincetown	MTA	Teacher	O
Quincy	MTA	Teacher	S
Quincy	MTA	Nurse	S
Quincy	NAGE	Custodian	S

** DS--DISPOSITION, S--SETTLED, F--FACTFINDING, O--OPEN **

1988 INTEREST MEDIATION CASE LIST

EMPLOYER	UNION	BARGAINING UNIT	DS**
Quincy	SEIU	Aide	S
Quincy	SEIU	Clerical	S
Raynham	MTA	Teacher	S
Reading	MTA	Teacher	O
Rehoboth	AFSCME	Clerical	S
Rehoboth	AFSCME	DPW	O
Revere	MTA	Teacher	S
Rockland	HLPE	Traffic	O
School Union 38	MTA	Teacher	S
Scituate	SEIU	Clerical	O
Seekonk	AFSCME	Clerical	S
Seekonk	MTA	Professional	S
Sharon	MTA	Teacher	S
Sharon	SEIU	Clerical	O
Sheffield	AFSCME	Health	O
Shrewsbury	MTA	Nurse	O
Shrewsbury	NAGE	Foremen	S
Somerset	AFSCME	DPW	S
Somerville	IBFO	Maintenance	S
Somerville	IND	Supervisor	O
Somerville	Ind	Clerical	O
Southern Berkshire	MTA	Nurse	S
Southern Worcester	SEIU	Clerical	S
Southern Worcester County	MTA	Teacher	S
Spencer	AFSCME	Clerical	S
Spencer	SEIU	Sewer	O
Stoneham	MTA	Aides	S
Stoneham	MTA	Teachers	O
Stoughton	HLPE	Library	S
Sudbury	MTA	Teacher	S
Swansea	AFSCME	Cafeteria	S
Swansea	AFSCME	Clerical	S
Swansea	MTA	Secretary	S
Tisbury	AFSCME	Clerical	S
Tri County	MTA	Professional	S
Trial Court of Mass.	SCOA	Court	S
Truro	AFSCME	Custodian	O
Unitarian Universalist	SEIU	Clerical	S
Upper Cape Cod	MTA	Teacher	O
W. Bridgewater	AFSCME	DPW	S
W. Springfield	AFSCME	Foremen	S
W. Springfield	AFSCME	Laborer	S
Wakefield	AFSCME	Laborer	S
Wakefield	AFSCME	Clerical	S
Walpole	AFSCME	Clerical	O
Walpole	MTA	Teacher	O
Waltham	MTA	Aide	O
Watertown	AFSCME	DPW	S

** DS--DISPOSITION, S--SETTLED, F--FACTFINDING, O--OPEN **

1988 INTEREST MEDIATION CASE LIST

EMPLOYER	UNION	BARGAINING UNIT	DS**
Watertown	Ind.	Clerical	O
Watertown	MTA	Teachers	O
Wellesley	MTA	Clerical	O
West Springfield	MSLA	Library	O
Westford	AFSCME	Custodian	S
Westford	MTA	Teachers	O
Weymouth	MTA	Faculty	O
Whitman	AFSCME	DPW	S
Whitman	AFSCME	Aide	O
Whittier	MTA	Clerical	O
Winchester	MTA	Teacher	O
Winthrop	MTA	Teacher	O
Woburn	Nage	DPW	S
Worcester	IBCO	Correction	S
Worcester	MNA	RN	S
Worcester	MTA	Teacher	S
Worcester	MTA	Aide	S
Worcester	S.E.I.U.	Trade	O

** DS--DISPOSITION, S--SETTLED, F--FACTFINDING, O--OPEN **

1988 ARBITRATION CASE LIST

EMPLOYER	UNION	PUBLIC OR PRIVATE	DS**
Agawam	Teamsters	Public	S
Agawam	Teamsters	Public	O
Agawam	Teamsters	Public	O
American Flexible Conduit	Teamsters	Private	S
Andover	Ind	Public	S
Arlington Coal & Lumber	Teamsters	Private	D
Attleboro	IND	Public	S
Auburn	SEIU	Public	S
BTL Specialty	OCAW	Private	S
BTL Specialty	OCAW	Private	S
BTL Specialty	OCAW	Private	O
Barney & Carey Co.	Teamsters	Private	S
Bellingham	AFSCME	Public	S
Bellingham	AFSCME	Public	O
Billerica	IBPO	Public	O
Billerica	IBPO	Public	O
Boston Water & Sewer	AFSCME	Public	O
Boxford	MTA	Public	S
Bridgewater	IAFF	Public	O
Browning Ferris Industries	Teamsters	Private	S
Cambridge Lee Industries	Teamsters	Private	S
Canteen Co.	Teamsters	Private	S
Charles Lee Disposal, Inc.	Teamsters	Private	D
CHarles Lee Disposal, Inc.	Teamsters	Private	S
Charles Lee Disposal, Inc.	Teamsters	Private	O
Charles Lee Disposal, Inc.	Teamsters	Private	O
Charles Lee Disposal, Inc.	Teamsters	Private	O
Charles Lee Disposal, Inc.	Teamsters	Public	O
Clinton	MCOP	Public	S
Coca Cola Bottling of Cape Cod	Teamsters	Private	O
Columbia Mfg.	IAM	Private	D
Costa Fruit	Teamsters	Private	S
Costa Fruit	Teamsters	Private	S
Dracut	IBPO	Public	O
E. A. Wilson Co.	Teamsters	Private	O
East Longmeadow	AFSCME	Public	O
East Longmeadow	AFSCME	Public	O
Edward S. Quirk Tire	Teamsters	Private	S
Essex	AFSCME	Public	O
Everett	MTA	Public	S
Everett	MTA	Public	O
Fall River	AFSCME	Public	S
Fall River	AFSCME	Public	O
Fall River	AFSCME	Public	O
Fall River	AFSCME	Public	O
Fall River	AFSCME	Public	D
Fall River	AFSCME	Public	O
Fall River	IND	Public	S

** DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

1988 ARBITRATION CASE LIST

EMPLOYER	UNION	PUBLIC OR PRIVATE	DS**
Fall River	IND	Public	S
Fall River	IND	Public	O
Fall River	IND	Public	O
Forest Hills	OCAW	Private	S
Freetown	Ind	Public	S
Friend Lumber Co	Teamsters	Private	D
GSX	Teamsters	Private	D
GSX	Teamsters	Private	S
GSX	Teamsters	Private	S
GSX	Teamsters	Private	S
GSX	Teamsters	Private	S
GSX	Teamsters	Private	D
GSX	Teamsters	Private	D
GSX	Teamsters	Private	D
GSX	Teamsters	Private	D
GSX	Teamsters	Private	S
GSX	Teamsters	Private	D
Gemini Corp.	ILGWU	Private	O
Green & Freedman Baking Co.	BCTWU	Private	S
Haverhill	IAFF	Public	O
Haverhill	SEIU	Public	D
Haverhill	SEIU	Public	S
Haverhill	Teamsters	Public	S
Hertz Corp	Teamsters	Private	D
Hudson	MTA	Public	S
J.G. MacLellan Concrete Co., I	Teamsters	Private	O
Keebler Co	Teamsters	Private	D
Laidlaw Waste Systems	Teamsters	Private	O
Laidlaw Waste Systems	Teamsters	Private	O
Laidlaw Waste Systems	Teamsters	Private	O
Laidlaw Waste Systems	Teamsters	Private	O
Laidlaw Waste Systems	Teamsters	Private	O
Lawrence Ready Concrete	Teamsters	Private	S
Leicester	MTA	Public	S
Liquid Carbonic Corp	Teamsters	Private	S
Liquid Carbonic Corp	Teamsters	Private	S
Liquid Carbonic Corp.	Teamsters	Private	O
Liquid Carbonic Corp.	Teamsters	Private	O
Liquid Carbonic Corp.	Teamsters	Private	O
Local 285, SEIU	SEIU	Private	S
Local 285, SEIU	SEIU	Private	S
Logan Airport Hilton Hotel	Teamsters	Public	O
Longmeadow (S)	AFSCME	Public	S
Lowell	SEIU	Public	S
Lynnfield	AFSCME	Public	S
Malden	MCOP	Public	O
Malden	MCOP	Public	O
Malden	MCOP	Public	O

** DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

1988 ARBITRATION CASE LIST

EMPLOYER	UNION	PUBLIC OR PRIVATE	DS**
Merrimack Valley Area Trans.	Teamsters	Private	S
Merrimack Valley Area Trans	Teamsters	Private	S
Merrimack Valley Area Transp	Teamsters	Private	S
Merrimack Valley Area Trans	Teamsters	Private	S
Monson	IBPO	Public	S
Morane Labor Leasing	Teamsters	Private	D
Morane Labor Leasing	Teamsters	Private	S
Morane Labor Leasing	Teamsters	Private	S
Morane Labor Leasing	Teamsters	Private	S
Morane Labor Leasing	Teamsters	Private	O
New Bedford	AFSCME	Public	D
New Bedford	AFSCME	Public	S
New Bedford	AFSCME	Public	O
Norfolk	MTA	Public	O
Northampton Nursing Home	Teamsters	Private	S
Northeast Met. Reg. Voc.	MTA	Private	S
Norton	AFSCME	Public	O
Norwell	IBPO	Public	O
Norwood	IAFF	Public	O
Pembroke	AFSCME	Public	O
Pembroke	AFSCME	Public	O
Pembroke	AFSCME	Public	O
Pembroke	IBPO	Public	O
Pembroke	IBPO	Public	O
Pembroke	IBPO	Public	O
Pembroke	IBPO	Public	O
Pittsfield	AFSCME	Public	O
Pittsfield	MNA	Public	O
Plainville	MCOP	Public	S
Plainville	MCOP	Public	O
Plymouth	IBCO	Public	S
Plymouth	IBCO	Public	O
Plymouth	IBCO	Public	O
Plymouth	IBCO	Public	O
Plymouth	IBCO	Public	O
Plymouth	IBCO	Public	O
Plymouth	IBCO	Public	O
Plymouth	IBCO	Public	O
Plymouth	IBCO	Public	O
Plymouth	IBCO	Public	O
Plymouth	IBCO	Public	O
Plymouth County	IBCO	Public	D
Plymouth County	IBCO	Public	O
Provincetown	AFSCME	Public	O
Provincetown	AFSCME	Public	O
Punderson Oil Co	Teamsters	Private	D
Quincy	AFSCME	Public	S
Quincy	HLPE	Public	O

** DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

1988 ARBITRATION CASE LIST

EMPLOYER	UNION	PUBLIC OR PRIVATE	DS**
Raytheon Employees Credit Unio	OPEI	Private	S
Raytheon Employees Credit Unio	OPEI	Private	S
Revere	IAFF	Public	S
Rockland	HLPE	Public	S
Rourke-Eno Paper	Teamsters	Private	S
Sonoco Products	Teamsters	Private	S
Springfield	AFSCME	Public	S
Springfield	AFSCME	Public	S
State Line Potato Chip	Ind	Private	S
Sterling	Teamsters	Public	S
Sterling	Teamsters	Public	S
Sterling	Teamsters	Public	S
Transgas, Inc.	Teamsters	Private	O
Transgas Inc	Teamsters	Private	D
Uxbridge	MCOP	Public	S
Uxbridge	MCOP	Public	S
Uxbridge	MCOP	Public	S
Uxbridge	MCOP	Public	O
Uxbridge	MCOP	Public	O
Waltham	MCOP	Public	O
Waltham	MCOP	Public	O
Waste Management	Teamsters	Private	S
Waste Management	Teamsters	Private	S
Waste Management	Teamsters	Private	O
Watertown	Ind	Public	O
Webster	IBPO	Public	S
Webster	SEIU	Public	O
Westport	IAFF	Public	D
Williams Distributing Corp	Teamsters	Private	S
Woburn	NAGE	Public	O







MASS. MARCH 1, 1989
Annual Report for the Board of Conciliation and Arbitration
The Commonwealth of Massachusetts

BOARD OF CONCILIATION AND ARBITRATION



ANNUAL REPORT 1989

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THE COMMONWEALTH OF MASSACHUSETTS
BOARD OF CONCILIATION AND ARBITRATION

ONE HUNDRED AND THIRD ANNUAL REPORT
JULY 1, 1988 - JUNE 30, 1989

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I. INTRODUCTION

As we approach the last decade of the century as the oldest state labor arbitration agency in the country, the Board of Conciliation and Arbitration is proud of its accomplishments. Whether solving strikes, grievances, unfair labor practices, or other court-related matters, the Board has done so in a most professional and productive manner.

The Board's 1981 reorganization had much to do with this. Chapter 23C of the General Laws made the Board independent of the Department of Labor and Industries. In addition, a single Chairman with the power to appoint professional mediators and arbitrators replaced the Board's tripartite structure. That statutory change was the seed for unprecedented progress in the Board's delivery of services:

- * The backlog of pending arbitration cases has been reduced to an optimum level. Parties can now expect a hearing date within 30 days in a discharge case and within 60 days in other types of cases. The time taken to issue an arbitration decision has also declined dramatically. As a result of these improvements, the demand for Board arbitration, even among some of the state's largest bargaining units, indicates a new-found respect for Board arbitrators.

- * With very few exceptions, all public sector labor disputes within the Board's jurisdiction are now mediated

by Board mediators. This is true even in public sector strike situations which have increased significantly in recent years. Board mediators have settled these disputes, and they have responded to this additional pressure without sacrificing their other responsibilities.

- * The Board is now a nationally recognized leader and innovator in labor relations dispute resolution. The Board has pioneered the use of grievance mediation, resulting in over 250 requests for grievance mediation in this past fiscal year alone. The current Chairman of the Board, Diane Zaar Cochran, has recently been elected President of the Association of Labor Relations Agencies, which consists of all labor relations agencies throughout the United States and Canada.
- * In 1987, the Board opened a regional office in Springfield. For the first time, the Board delivers grievance arbitration and grievance mediation directly to the labor relations community in western Massachusetts.
- * The quality of the professional staff has continued to improve and diversify. The Board now attracts experienced labor relations professionals from three sectors of the field--labor, management, and neutral.

The Board also strengthened mediators' effectiveness by filing, and working with the legislature to enact, the Mediator Confidentiality Act.

* More and more organizations seek Board staff as speakers and trainers for workshops and programs on labor relations. Staff members are not only running programs on the Board's services, but also initiating programs to enable unions and management to work cooperatively to enhance productivity and labor peace.

* The Board's record-keeping function is now completely computerized. This has given the agency new ability to manage cases and productivity, to identify trends and problem areas, and to respond to information requests.

These improvements have placed the Board in a unique position to affect progress in the labor relations climate as we move into the 1990's.

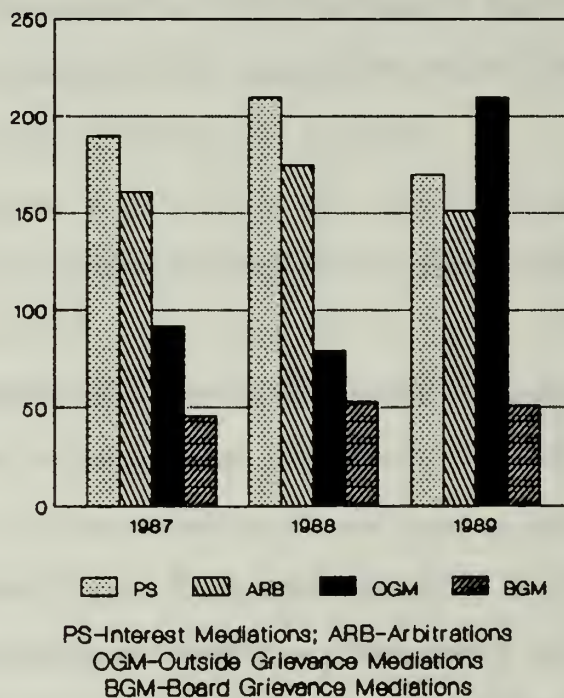
A significant problem, however, faces the Board. The agency has lost two mediator positions this year due to fiscal constraints. Only the exceptional professionalism of the staff has prevented a decline in productivity. Any further cutbacks will lead to a decline in Board services, a setback in respect for the work of the Board, and a deterioration in the state's labor relations climate.

As we reflect on the Board's accomplishments in the 1980's, our optimism for the 1990's is tempered by the consequences of cost cutting on the Board's effectiveness.

II. BOARD SERVICES

There are four major components of the Board's services: interest mediation, grievance arbitration, Board grievance mediation, and outside grievance mediation. The demand for these services has been relatively stable over the past few years, except for outside grievance mediation requests which have exploded. The chart below highlights these statistics:

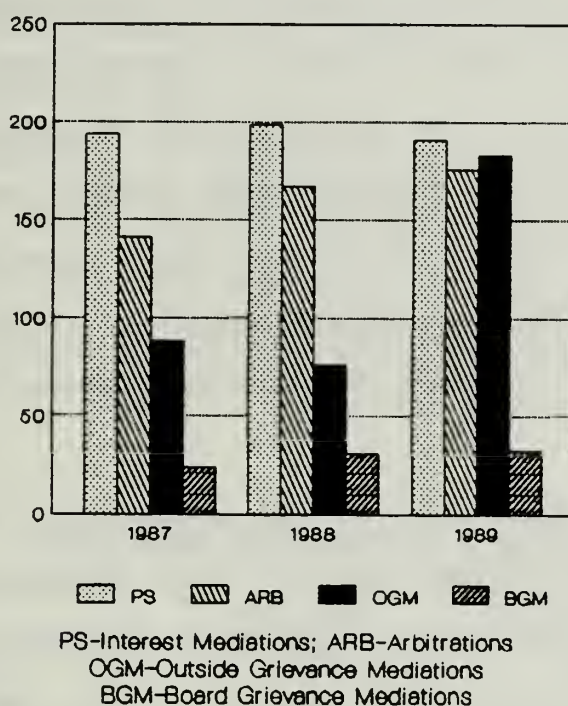
CASES REQUESTED BY TYPE
FY 1987 to FY 1989



The Board's output--the number of cases actually settled by the staff--has been fairly consistent as well. From this

perspective, even in an area where there has been a decline in petitions, such as grievance arbitration, there has been an increase in the number of cases settled. This is due to the increased productivity of the staff as measured by the timeliness of arbitration decisions issued.

CASES SETTLED BY TYPE FY 1987 to FY 1989



More specific information on these statistics and trends in Board activities is provided in the sections that follow.

A. Grievance Arbitration

Many collective bargaining agreements name the Board as the chosen forum for the final and binding resolution of grievance disputes--grievance arbitration. This is a cost efficient and

timely alternative to civil litigation. After voluntary petition by the parties, Board arbitrators hold evidentiary hearings and take arguments in disputes involving the interpretation of collective bargaining agreements. The arbitrator then issues a decision containing an award which is final and binding upon the parties and enforceable in Superior Court, if necessary, through a simple, expedited procedure.

Grievance arbitration is used by a statewide constituency of management and union labor relations representatives for a variety of entities in the Commonwealth including: state government; health care institutions; produce companies; municipal police, fire, and public works departments; school systems; construction companies; counties; retail stores; manufacturers; and transportation firms, among many others. (See Appendix B.)

Slightly less than half of all arbitration petitions this year came from the public sector. Local communities often cite the low cost of Board arbitration as a reason for preferring this forum to private arbitration. This has been especially true in a year when local communities have begun to experience increased budgetary constraints. This is one of the ways in which the activities of the Board serve as a form of local aid.

Many of the grievances cited in petitions for Board arbitration are settled without a hearing if: parties have second thoughts and unilaterally withdraw the petition; parties meet informally and reach an agreement; or parties meet with a Board

mediator and settle the issue in grievance mediation. The Board is strongly committed to grievance mediation because of its positive impact on the relationship between labor and management. Therefore, Board mediators strive to resolve potential arbitrations through this mechanism. Although the number of grievance arbitration petitions filed with the Board was down this year, which may be due to the success of the grievance mediation program, the number of arbitration decisions issued by the Board was up.

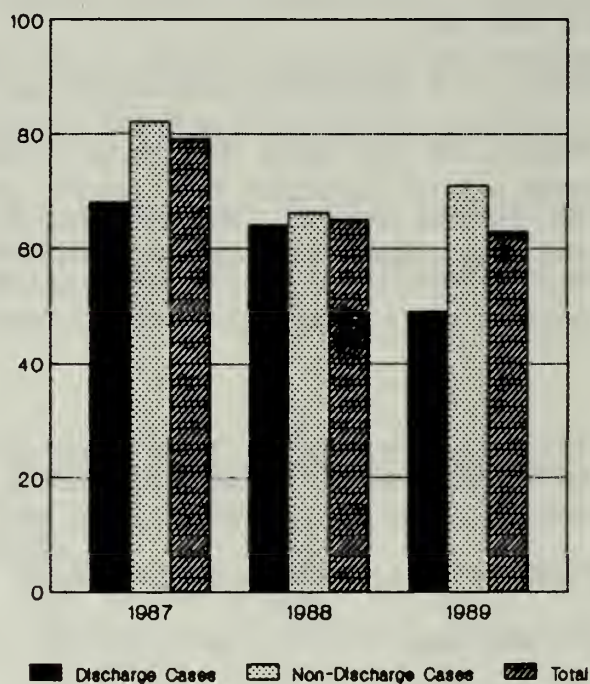
The Board resolved 176 grievance arbitration cases this fiscal year. Of these, 96 had been filed in fiscal year 1989, and 80 from previous fiscal years. Sixty-four percent of cases were resolved without a hearing, which is consistent with prior years.

GRIEVANCE ARBITRATION REQUESTS

	<u>FY 1989</u>	<u>FY 1988</u>	<u>FY 1987</u>
Arbitrations Received	151	175	161
Public Sector	67	99	71
Private Sector	84	76	90
Resolved Same Fiscal Year	94	95	87
Settled	64	75	66
Decisions Issued	30	20	21
Resolved from			
Prior Years	82	72	54
Settled	48	34	24
Decisions Issued	34	38	30
Total Resolved This Year	176	167	141
Settled	112	109	90
Decisions Issued	64	58	51
Arbitrations Open at End			
of the Fiscal Year	63	80	65

An important long term objective of the agency has been to improve the timeliness of the issuance of arbitration decisions. Our goal for this fiscal year was to issue decisions in discharge cases within 55 days of the closing of the case, and within 85 days in non-discharge cases. This was a reduction of 5 days from the prior year's goal. We again achieved the goal.

ARBITRATION DECISIONS Days to Decision



The average time taken to issue an award in a discharge case was 49 days (down from 64 days in fiscal year 1988 and 68 days in fiscal year 1987). The average time taken to issue an award in a non-discharge case was 71 days (up slightly from 66 days in fiscal year 1988, but down from 82 days in fiscal year 1987). The overall average for timeliness in arbitration awards was 63

days, which is down from 65 days in fiscal year 1988 and 79 days in fiscal year 1987.

B. Interest Mediation

Board mediators assist employers and labor unions, in both the public and private sectors, in resolving contract negotiating disputes. Under the dispute resolution section of the public sector collective bargaining law, Chapter 150E, § 9, the Board is responsible for mediating all public sector labor contract disputes except those involving municipal police and fire fighters. The responsibility extends beyond mediation, if necessary, to fact-finding or voluntary arbitration.

All levels of government--state, county, municipal, public authorities--in all types of work settings, use interest mediation extensively. Appendix A contains a list of those parties requesting interest mediation this past year.

The Board places a high priority on interest mediation because of the potential for the disruption of public services or commerce. The prevention and prompt settlement of collective bargaining disputes benefits not only the immediate parties--the employers, unions, and employees--but also the local communities, the general public, and the Commonwealth. These services are also a form of local aid. Using private mediators would be costly to the public; but the state provides mediation for local communities at no cost.

Private sector labor disputes can also have a significant

impact on our economy. If a substantial public interest is involved, the Board will provide mediation when requested. Six private sector cases were resolved with Board assistance this year. The areas involved included an engineering company, the media, a health care agency, and non-profit institutions.

The chart below shows that 97% of the 191 public sector contract disputes resolved this year were resolved in mediation, and only 3% were resolved in the next step of the impasse process, fact-finding.

PUBLIC SECTOR INTEREST MEDIATION REQUESTS

	<u>FY 1989</u>	<u>FY 1988</u>	<u>FY 1987</u>
Total Disputes Received	170	210	190
Settled Same Fiscal Year	112	120	111
Settled in Mediation	109	118	110
Settled by Fact-Finder	3	2	1
Prior Year Cases Settled in Current Fiscal Year	79	79	73
Settled in Mediation	77	75	71
Settled by Fact-Finder	2	4	2
Total Disputes Open at End of Current Fiscal Year	74	95	91
Total Disputes Resolved in Current Fiscal Year	191	199	194

The table below lists the time taken to settle cases during this fiscal year for cases in which a Board mediator met at least once with the parties, according to the year in which the initial petition was filed:

<u>Year of Petition</u>	<u>Number of Cases</u>	<u>Percent of Settled Cases</u>	<u>Average Time Taken</u>
1988	60	37.7%	6.1 months
1989	<u>99</u>	<u>62.3%</u>	<u>3.0 months</u>
<u>Totals</u>	159	100.0%	4.1 months

This average for cases settled by mediators--4.1 months--is close to the 3.9 month average of Fiscal Year 1988.

The impasse procedures of the public sector collective bargaining law allow parties either to use a mediator from the Board's professional staff or to choose a private mediator. The Board is proud that few employers and unions have elected to choose private mediators. Out of the 170 petitions filed during the fiscal year, only once did the parties elect to hire a mediator.

The results of a Board-sponsored client survey this past year show a high degree of satisfaction with the Board's interest mediation service. Out of 46 responses to the anonymous survey regarding this service, 41 respondents found the mediator's presence to be "useful" or "very useful." Some of the specific comments from the Board's clients are listed below:

"[The mediator] did an outstanding job in what appeared as an explosive situation."

"Over the years I have been extremely pleased with the effectiveness of the Board's mediators."

"Regardless of the intensity of the emotional climate, [the mediator] always seemed able to defuse the situation and to maintain his affability. It was a pleasure working with him."

"I have been and continue to be very satisfied with both the Board and the mediators that have been assigned."

"The Board and its mediators provide a valuable, cost effective and noncoercive service in this area."

This year the Board was involved in the settlement of six strikes, five of which involved teacher organizations (Peabody, Lowell, Hanover, Westport, and Watertown), which is down slightly from the eight teacher strikes last fiscal year. The statistics alone, however, do not tell the complete story. Many of these strikes lasted much longer than strikes in prior years, and in several cases the Board assigned more than one mediator. Once again, the strikes took a toll on the agency far beyond what their numbers alone would indicate.

C. Grievance Mediation

Grievance mediation has been a major addition to the Board's activities over the past few years. Since the Board has been a national pioneer in this field, professional labor relations organizations have often requested Board presentations on the topic. Our success in this area has led other states to follow our lead in initiating grievance mediation programs.

Grievance mediation is offered to all parties appearing for Board grievance arbitrations. In most cases it is conducted on the day of the arbitration hearing. Where records show an above average number of petitions for grievance arbitration at a particular worksite, however, the Board offers on-site mediation prior to the scheduled hearing. A staff member never serves as

both mediator and arbitrator of the same dispute, and the mediator is prohibited from discussing the grievance in the interest of preserving confidentiality.

BOARD GRIEVANCE MEDIATION REQUESTS

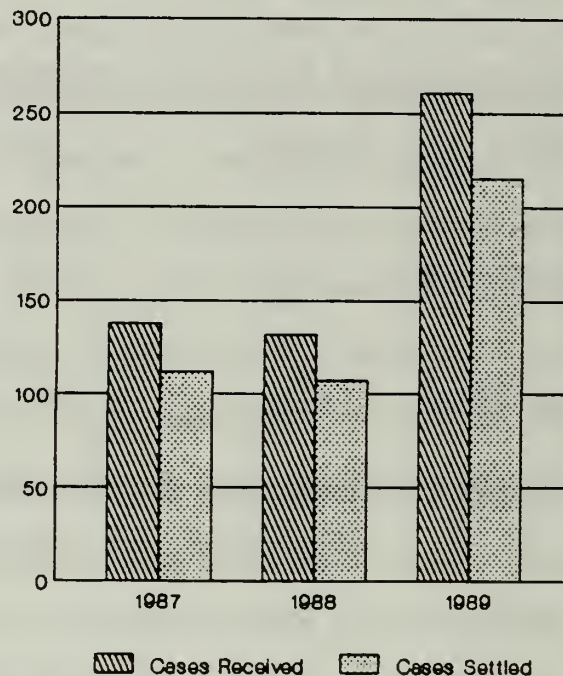
Total Disputes Received in	<u>FY 1989</u>	<u>FY 1988</u>	<u>FY 1987</u>
	51	53	46
Settled	32	31	21
Referred to Arbitration	16	22	22
Parties Settled	0	0	3
Open	3		
Settled as Percent of Total	67%	58%	52%

The Board also mediates grievances for parties who use other forums for arbitration. For instance, some collective bargaining agreements require that private arbitrators be chosen from specific panels such as the American Arbitration Association. Without delaying the scheduling of the arbitration, the parties sometimes jointly request Board mediation. Better long-term relationships have grown out of this mediation program, enabling more settlements and less need for mediation and arbitration. The Board's 95% settlement rate might be part of the reason for the dramatic increase in such requests this fiscal year.

OUTSIDE GRIEVANCE MEDIATION REQUESTS

Total Disputes Received in	<u>FY 1989</u>	<u>FY 1988</u>	<u>FY 1987</u>
	210	79	92
Settled	183	76	88
Referred to Arbitration	10	3	4
Open	17		
Settled as Percent of Total Closed Cases	95%	96%	96%

GRIEVANCE MEDIATION CASES FY 1987 to FY 1989



TOTAL GRIEVANCE MEDIATION REQUESTS OF BOTH TYPES

Total Disputes Received in	<u>FY 1989</u>	<u>FY 1988</u>	<u>FY 1987</u>
	261	132	138
Disputes Settled	215	107	112
Settled as Percent of Closed Cases	89%	81%	81%

One of the little known positive features of the Board's grievance mediation program is the number of disputes that are resolved through this process besides the relevant grievances. Board mediators have resolved numerous state prohibited practice charges, as well as several pending court actions, as parts of

settlement agreements reached in grievance mediations and contract mediations. In fiscal year 1990, the Board will be keeping track of these collateral settlements and should be able to report on their significance in next year's report.

D. Community Education

Staff members made presentations before the following groups this past fiscal year:

- * Boston Bar Association Public Sector Labor Law Conference
- * New England Newspaper Distributors Conference
- * New England Consortium of Labor Relations Agencies
- * AFL-CIO Meany-Gompers-Murray Educational Conference
- * Mass. Department of Education Panel on Teacher Evaluation
- * Mass. Municipal Association, Personnel Committee Meeting
- * Simmons College, lectures on labor relations
- * Society of Professionals in Dispute Resolution, Annual Conference, Washington, D.C.
- * Association of Labor Relations Agencies Annual Conference
- * ALRAcademy Educational Conference for new Commission/Board Members
- * Mass. Bar Association Professional Education Program
- * Vermont Public Employment Relations Board Labor Conference
- * Connecticut Board of Arbitration and Conciliation Arbitration Day
- * University of Massachusetts, lecture on dispute resolution

In addition, Diane Zaar Cochran completed a term as the First Vice President of the Association of Labor Relations Agencies and became the President of that organization which is comprised of all labor relations agencies in the United States and Canada. Ms. Cochran is also the President of the Boston chapter of the Industrial Relations and Research Association.

III. BOARD STAFF

Jim Leydon left his mediator position this year to take a position as Office Manager for newly-elected Congressman Richard Neal. In light of Jim's many years of experience in labor relations and the respect he earned from both management and labor representatives, he will be sorely missed by all, especially those in western Massachusetts. Because of budgetary constraints, the Board has been unable to fill either Jim's position or the position from which mediator George Fitzpatrick of Worcester retired at the very beginning of this fiscal year. In spite of an increase in Board activity, the Board is down two full professional positions from last fiscal year.

With no other turnovers, the Board has been fortunate to have had a stable staff this fiscal year. The Board is also proud to announce that Rose Silva was the recipient of a Commonwealth Citation for Outstanding Performance for 1989.

<u>Chairman:</u>	Diane Zaar Cochran
<u>Vice Chairman:</u>	Michael C. Ryan
<u>Mediator/Arbitrators:</u>	Robert J. Canavan Sarah Kerr Garraty Elliot Klitzman Arnold M. Marrow Nancy E. Peace Mary Ellen Shea
<u>Mediators:</u>	Paul M. Connolly Walter J. Diehl John J. Mark
<u>Labor Relations Specialist:</u>	Gerry McDonough

Administrative
Assistant:

Sheila Faiella

Office Staff:Rose R. Silva, Supervisor
Maureen Perrotta
Margaret ThompsonSPRINGFIELD OFFICE:Mediator/Arbitrator:

Nicholas N. Marshall

Office Staff:

Brenda Bynum

IV. FUTURE DIRECTIONS

The Board today enjoys a reputation as a leading and positive force in the labor relations climate of the Commonwealth. Our grievance mediation activities have place the Board in the forefront of innovation in state labor mediation agencies. The increase in demand for these activities exemplifies the renewed confidence of the labor relations community in the independence and professionalism of the Board.

In spite of the reductions in mediator positions, the Board has been able to increase its productivity. It is not clear how long this can last. Labor relations representatives have come to depend on the availability of Board mediators when a crisis develops. There is simply not enough staff to continue to meet all the needs of the labor relations community. The Board will have to find ways in the months ahead to prioritize, and concentrate on, those activities which have the greatest impact on our state's labor relations climate.

1989 INTEREST MEDIATION CASE LIST

EMPLOYER	UNION	BARGAINING UNIT	DS**
Abington	Independent	DPW	S
Adams-Cheshire Reg. School	Independent	Clerical	S
Adams-Cheshire Reg. School	Independent	Administrator	S
Amherst	AFSCME	DPW	S
Ashland	MTA	Teachers	S
Attleboro	MTA	Teachers	S
Attleboro	Independent	Administrator	F
Attleboro	MLSA	Library	S
Attleboro	MLSA	Clerical	S
Attleboro	MTA	Clerical	O
Auburn	MTA	Secretaries	O
Barnstable	Independent	Mixed	S
Barnstable County	UAW	Clerical	S
Barnstable County	Teamsters	Dispatchers	O
Bd. of Regents of Higher Ed	AFSCME	Trade	O
Bd. of Regents of Higher Ed	MTA	Mixed	O
Bedford	MNA	RN	O
Bedford	AFSCME	DPW	O
Belmont	MTA	RN	S
Belmont Housing Authority	AFSCME	Maintenance	S
Berkshire Hills Reg. School	MTA	Teachers	S
Berkshire Hills Reg. School	MTA	Administrator	S
Berkshire Hills Reg. School	MTA	Nurses	S
Beverly	AFSCME	Foremen	S
Billerica	MFT	Nurses	S
Boston	Independent	Police	O
Bridgewater	MTA	Teachers	S
Bridgewater	MLSA	Library	S
Bristol County	Teamsters	Corrections	O
Brockton Housing Authority	SEIU	Maintenance	S
Brookline	MTA	Nurses	F
Canton	AFSCME	Clerical	S
Canton	Independent	Nurses	S
Concord-Carlisle Reg School	MTA	Teachers	S
Danvers	MNA	Nurses	O
Dartmouth	AFSCME	Custodians	S
Dedham	AFSCME	Laborers	S
Dedham	MTA	Teachers	O
Douglas	MTA	Teachers	S
Dukes County	AFSCME	Dispatchers	S
Essex County	AFSCME	Clerical	O
Everett	HLPE	Library	O
Everett Housing Authority	IBEW	Mixed	O
Fairhaven	AFSCME	DPW	S
Fairhaven	Teamsters	DPW	S
Fall River	Independent	Nurses	O
Fitchburg Housing Authority	AFSCME	Maintenance	O
Framingham	MTA	Teachers	O

** DS--DISPOSITION, S--SETTLED, F--FACTFINDING, A--Arbitration, O--OPEN **

1989 INTEREST MEDIATION CASE LIST

EMPLOYER	UNION	BARGAINING UNIT	DS**
Greater Lawrence Reg School	MFT	Teachers	O
Halifax	MTA	Teachers	O
Hanson	AFSCME	Clerical	S
Haverhill	MTA	Teachers	S
Haverhill	Independent	Administrator	S
Haverhill	Teamsters	Engineers	O
Hudson	CWA	Maintenance	O
Ipswich	AFSCME	Blue Collar	S
Lanesboro	MTA	Teachers	S
Lawrence	MFT	Paraprofs.	S
Lawrence	SEIU	Administrator	S
Lawrence	Independent	DPW	S
Lawrence	Independent	Clerical	S
Lee	MTA	Teachers	S
Leominster	AFSCME	Custodians	S
Littleton	AFSCME	Custodians	S
Lowell	MTA	Teachers	S
Lowell	Independent	Technician	S
Lowell	SEIU	Administrator	O
Lowell	SEIU	Clerical	O
Lowell	SEIU	Custodians	O
Lowell	Independent	Administrator	O
Lowell	MVEA	Health	O
Lowell	MVEA	Security	O
Lynnfield	AFSCME	Clerical	F
MBTA	IBEW	Towerman	A
MBTA	IAM	Machinist	A
MBTA	OPEIU	Administrator	A
MBTA	IBPO	Police	O
MDC	Independent	Police	O
MWRA	NAGE	Administrator	S
MWRA	AFSCME	Laborers	O
Mansfield	AFSCME	Mixed	S
Marshfield	AFSCME	Clerical	S
Mass. Port	ILA	Police Guards	O
Mass. Respiratory Hospital	AFSCME	Clerical	S
Maynard	MTA	Teachers	O
Medfield	MTA	Teachers	S
Medford	SEIU	Clerical	S
Melrose	Independent	Clerical	O
Methuen	MTA	Administrator	S
Methuen	MNA	Nurses	S
Methuen	NAGE	Clerical	S
Millis	MTA	Teachers	O
Mt. Greylock	MTA	Paraprofs.	S
New Bedford	MTA	Teachers	S
New Bedford	MTA	RN	S
New Bedford	MTA	Administrator	S

1989 INTEREST MEDIATION CASE LIST

EMPLOYER	UNION	BARGAINING UNIT	DS**
Northampton	AFSCME	DPW	O
Northeast Reg. Voc. School	MTA	Teachers	O
Norton	AFSCME	DPW	S
Norwell	MTA	Teachers	O
Norwell	Independent	Custodians	O
Norwood	AFSCME	DPW	S
Norwood	SEIU	Clerical	S
Orange	NAGE	DPW	S
Pathfinder Reg. Voc. School	MTA	Teachers	S
Peabody	MFT	Teachers	S
Peabody	MFT	Teachers	S
Pembroke	AFSCME	DPW	S
Pembroke	MTA	Custodians	S
Pembroke	MTA	Secretaries	S
Pittsfield	MFT	Clerical	S
Pittsfield	MFT	Clerical	O
Pittsfield	MTA	Supervisor	F
Plymouth-Carver Reg. School	MTA	Secretaries	S
Quincy	SEIU	Clerical	S
Reading	AFSCME	Clerical	S
Rehoboth	AFSCME	Dispatchers	S
Revere	MTA	Teachers	O
Rockland	AFSCME	Dispatchers	S
Rockport	MTA	Clerical	S
Rockport	MTA	Custodians	S
Rockport	AFSCME	Clerical	O
Salem	AFSCME	Clerical	S
Sandwich	MTA	Teachers	S
Scituate	AFSCME	RN	S
Scituate	HLPE	Administrator	S
Shirley	AFSCME	Mixed	S
Somerset	MTA	Teachers	S
Somerset	AFSCME	Clerical	O
Somerville	MTA	Paraprofs.	O
South Essex Sewer District	AFSCME	Laborers	S
South Hadley	Independent	Custodians	S
Springfield	SEIU	LPN	S
Sturbridge	MTA	Teachers	S
Sudbury	IFPTE	Engineers	S
Tantasqua Reg. School	Independent	Custodians	S
Taunton	MNA	Nurses	S
Uxbridge	AFSCME	Custodians	S
Uxbridge	MTA	Clerical	S
W. Springfield Housing Auth	AFSCME	Maintenance	S
Waltham	IBCA	Administrator	S
Waltham	IBCA	Maintenance	S
Wareham	OPEIU	Secretaries	S
Wareham	AFSCME	Custodians	S

** DS--DISPOSITION, S--SETTLED, F--FACTFINDING, A--Arbitration, O--OPEN **

1989 INTEREST MEDIATION CASE LIST

EMPLOYER	UNION	BARGAINING UNIT	DS**
Watertown	MTA	Teachers	S
Wayland	MLSA	Library	S
Wayland	NAGE	Clerical	O
Webster	SEIU	DPW	F
Wellesley	MTA	Teachers	S
West Bridgewater	AFSCME	DPW	S
West Springfield	NAGE	Custodians	S
Westborough	NAGE	DPW	S
Westfield	Independent	Professionals	S
Westfield	Independent	Mixed	O
Westfield	MTA	Teachers	O
Westport	MFT	Teachers	S
Westport	MTA	Administrator	S
Westwood	HLPE	Blue Collar	S
Weymouth	MTA	Blue Collar	F
Weymouth	SEIU	Cafeteria	F
Whitman	AFSCME	Cafeteria	S
Whitman	AFSCME	Custodians	S
Wilbraham	AFSCME	Wall to wall	S
Williamsburg	MTA	Teachers	S
Winchendon	AFSCME	DPW	S
Winchester	SEIU	DPW	S
Worcester	MTA	Teachers	S
Worcester	SEIU	Mixed	S
Worcester	MTA	Teachers	F
Worcester County	MNA	Nurses	O

1989 ARBITRATION CASE LIST

EMPLOYER	UNION	PUBLIC OR PRIVATE	DS**
Agawam	Independent	Public	S
Agawam	Teamsters	Public	O
BTL Specialty Resins Corp.	OCAW	Private	S
BTL Specialty Resins Corp.	OCAW	Private	S
BTL Specialty Resins Corp.	OCAW	Private	S
Baker Commodities Inc.	Teamsters	Private	D
Barney & Carey Company	Teamsters	Private	D
Barnstable County Hospital	District 1199	Public	S
Bicknell & Fuller Company	UPIU	Private	S
Bicknell & Fuller Company	UPIU	Private	D
Bixby International Corp.	ACTWU	Private	S
Bixby International Corp.	ACTWU	Private	O
Boston	AFSCME	Public	S
Brockton	IBPO	Public	S
Cambridge Lee Industries	Teamsters	Private	O
Charles Lee Disposal Company	Teamsters	Private	S
Charles Lee Disposal Company	Teamsters	Private	D
Charles Lee Disposal Company	Teamsters	Private	D
Charles Lee Disposal Company	Teamsters	Private	O
Charles Lee Disposal Company	Teamsters	Private	D
Charles Lee Disposal Company	Teamsters	Private	S
Child World, Inc.	UFCW	Private	S
Child World, Inc.	ANPW	Private	O
Coca-Cola Bottling, Inc.	Teamsters	Private	D
Coca-Cola Bottling, Inc.	Teamsters	Private	S
Columbia Manufacturing	IAM	Private	S
Columbia Manufacturing	IAM	Private	S
Costa Fruit & Produce Co.	Teamsters	Private	S
Costa Fruit & Produce Co.	Teamsters	Private	S
D.J. Reardon Co.	Teamsters	Private	S
Dracut	IAFF	Public	S
East Longmeadow	AFSCME	Public	S
Essex County	AFSCME	Public	D
Essex County	MFT	Public	O
Essex County	AFSCME	Public	O
Everett	MTA	Public	S
Everett School Committee	MTA	Public	S
Everett School Committee	MTA	Public	D
Everett School Committee	MTA	Public	S
Everett School Committee	MTA	Public	S
F.W. Lombard Co.	IUE	Private	S
FL/JC Codman Co.	ILGWU	Private	O
Fall River	Independent	Public	O
Fall River	Independent	Public	S
Fall River	Independent	Public	O
Fall River	Independent	Public	S
Fall River	Independent	Public	S
Falmouth	AFSCME	Public	S

** DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

1989 ARBITRATION CASE LIST

EMPLOYER	UNION	PUBLIC OR PRIVATE	DS**
Foxborough	MTA	Public	D
Foxborough School Committee	MTA	Public	O
Frito-Lay, Inc.	Teamsters	Private	S
Green & Freedman Baking Co.	BCTWU	Private	O
Greif Bros. Inc.	LWIU	Private	S
Hale Hospital	Teamsters	Public	O
Hertz Corp.	Teamsters	Private	D
Hertz Corp.	Teamsters	Private	D
Hertz Corp.	Teamsters	Private	D
Hertz Corp.	Teamsters	Private	D
Hertz Corp.	Teamsters	Private	S
Hertz Corp.	Teamsters	Private	O
Hudson	MTA	Public	S
Hudson	MTA	Public	S
Ingall's Cronin Co.	Teamsters	Private	S
Laidlaw Waste Systems, Inc.	Teamsters	Private	D
Laidlaw Waste Systems, Inc.	Teamsters	Private	D
Laidlaw Waste Systems, Inc.	Teamsters	Private	D
Laidlaw Waste Systems, Inc.	Teamsters	Private	D
Laidlaw Waste Systems, Inc.	Teamsters	Private	D
Laidlaw Waste Systems, Inc.	Teamsters	Private	D
Laidlaw Waste Systems, Inc.	Teamsters	Private	S
Laidlaw Waste Systems, Inc.	Teamsters	Private	S
Laidlaw Waste Systems, Inc.	Teamsters	Private	S
Laidlaw Waste Systems, Inc.	Teamsters	Private	S
Laidlaw Waste Systems, Inc.	Teamsters	Private	O
Lawrence Ready Mixed Concrete	Teamsters	Private	S
Liquid Carbonic Corp.	Teamsters	Private	S
Liquid Carbonic Corp.	Teamsters	Private	D
Liquid Carbonic Corp.	Teamsters	Private	S
Logan Airport Hilton Hotel	Teamsters	Private	S
Logan Airport Hilton Hotel	Teamsters	Private	O
Lowell Firefighters	HRWB	Private	D
Malden	MCOP	Public	O
Malden	IBPO	Public	O
Manufacturing Enterprises Corp	Boilermakers	Private	D
Merrimack Valley Area Trans.	Teamsters	Private	S
Merrimack Valley Area Trans.	Teamsters	Private	O
Methuen	IAFF	Public	O
Milford	MCOP	Public	S
Milford	MCOP	Public	D
Morane Labor Leasing Co.	Teamsters	Private	S
Morane Labor Leasing Co.	Teamsters	Private	S
Morane Labor Leasing Co.	Teamsters	Private	S
Morane Labor Leasing Co.	Teamsters	Private	O
Nabisco Brands, Inc.	Teamsters	Private	O
National Biscuit Co.	Teamsters	Private	O
New Bedford	AFSCME	Public	S

** DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

1989 ARBITRATION CASE LIST

EMPLOYER	UNION	PUBLIC OR PRIVATE	DS**
New England Concrete Corp.	Laborers	Private	O
Nonantum Lumber Co.	Teamsters	Private	S
North Adams	IBPO	Public	O
Northeast Reg. Voc. School	MTA	Public	O
Norwood	IAFF	Public	O
O.R. Cote Co.	Teamsters	Private	S
O.R. Cote Co.	Teamsters	Private	O
Oak Haven Nursing Home	District 1199	Private	O
Paragon Rubber Corp.	IUE	Private	D
Pembroke	AFSCME	Public	S
Pembroke	AFSCME	Public	S
Pembroke	AFSCME	Public	D
Pembroke	AFSCME	Public	O
Pembroke	AFSCME	Public	O
Pembroke	IBPO	Public	O
Pepsi-Cola Bottling Co., Inc.	Teamsters	Private	D
Pilgrim Area Collaborative	Independent	Public	S
Plymouth	IBPO	Public	S
Provincetown	AFSCME	Public	O
Randolph	SEIU	Public	O
Revere	AFSCME	Public	S
Rourke Eno Paper Co.	Teamsters	Private	D
Spencer	SEIU	Public	S
Spencer	SEIU	Public	S
Spencer	SEIU	Public	S
Spencer	SEIU	Public	O
State Line Snacks Corp.	Independent	Private	S
State Line Snacks Corp.	Independent	Private	S
Swansea	AFSCME	Public	O
Uxbridge	MCOP	Public	O
Uxbridge	MCOP	Public	O
Vincent Sand & Gravel	Teamsters	Private	S
Waltham	MCOP	Public	D
Waltham Chemical Co.	OCAW	Private	S
Wareham Dev. Corp.	UAW	Private	S
Waste Management, Inc.	Teamsters	Private	S
Waste Management, Inc.	Teamsters	Private	D
Waste Management, Inc.	Teamsters	Private	O
Waste Management, Inc.	Teamsters	Private	O
Waste Management, Inc.	Teamsters	Private	S
Waste Management, Inc.	Teamsters	Private	S
Webster	IBPO	Public	S
Webster	IBPO	Public	O
Webster	SEIU	Public	S
Webster	SEIU	Public	S
West Springfield	IBPO	Public	O
Westport	AFSCME	Public	O
Westport	AFSCME	Public	O

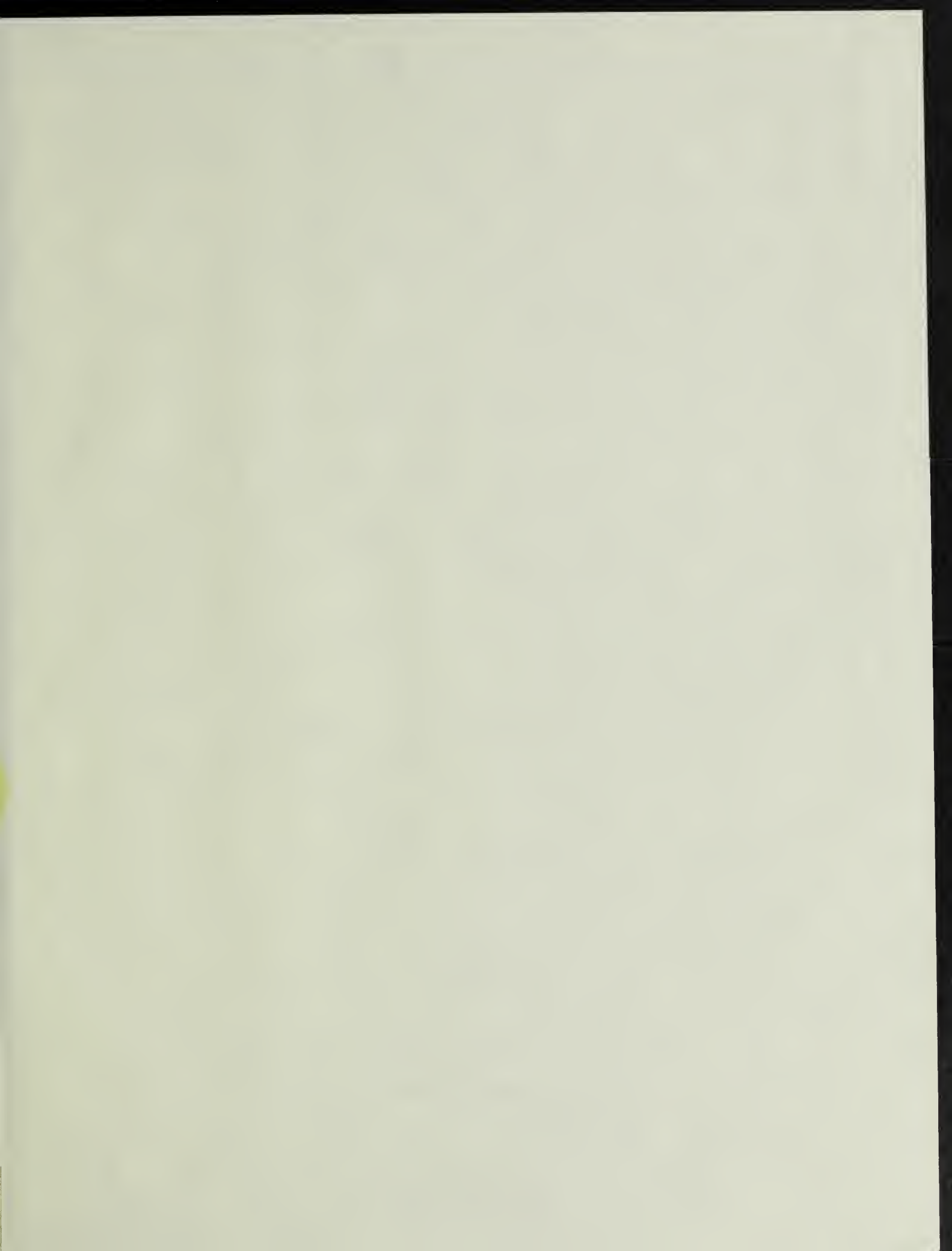
** DS--DISPOSITION, S--SETTLED, D--DECISION, O--OPEN **

1989 ARBITRATION CASE LIST

EMPLOYER	UNION	PUBLIC OR PRIVATE	DS**
Westport	AFSCME	Public	O
Woburn	NAGE	Public	S
Woburn	NAGE	Public	S
Woburn	NAGE	Public	O
Woburn	NAGE	Public	O
Woburn	IBPO	Public	O
Wyeth Laboratories	Teamsters	Private	O







ACME
BOOKBINDING CO., INC.

OCT 28 1990

100 CAMBRIDGE STREET
CHARLESTOWN, MASS.

